

**AGENDA OF A REGULAR MEETING - NATIONAL CITY CITY COUNCIL/
COMMUNITY DEVELOPMENT COMMISSION – HOUSING AUTHORITY OF
THE CITY OF NATIONAL CITY**



**COUNCIL CHAMBERS
CIVIC CENTER
1243 NATIONAL CITY BOULEVARD
NATIONAL CITY, CALIFORNIA
TUESDAY, MARCH 19, 2019 – 6:00 PM**

ALEJANDRA SOTELO-SOLIS
Mayor

RON MORRISON
Vice Mayor

JERRY CANO
Councilmember

GONZALO QUINTERO
Councilmember

MONA RIOS
Councilmember

*1243 National City Blvd.
National City, CA 91950
619-336-4240*

*Meeting agendas and
minutes available on web*

WWW.NATIONALCITYCA.GOV

ORDER OF BUSINESS: Public sessions of all Regular Meetings of the City Council / Community Development Commission - Housing Authority (hereafter referred to as Elected Body) begin at 6:00 p.m. on the first and third Tuesday of each month. Public Hearings begin at 6:00 p.m. unless otherwise noted. Closed Meetings begin in Open Session at 5:00 p.m. or such other time as noted, and after announcing closed session items, convenes into a Closed Meeting. If a workshop is scheduled, the subject and time of the workshop will appear on the agenda. The Mayor and Council members also sit as the Chairperson and Members of the Board of the Community Development Commission (CDC).

REPORTS: All open session agenda items and reports as well as all documents and writings distributed to the Elected Body less than 72 hours prior to the meeting, are available for review at the entry to the Council Chambers. Regular Meetings of the Elected Body are webcast and archived on the City's website **www.nationalcityca.gov**.

PUBLIC COMMENTS: Prior to the Business portion of the agenda, the Elected Body will receive public comments regarding any matters within the jurisdiction of the City and/or the Community Development Commission. Members of the public may also address any item on the agenda at the time the item is considered by the Elected Body. Persons who wish to address the Elected Body are requested to fill out a "Request to Speak" form available at the entrance to the City Council Chambers, and turn in the completed form to the City Clerk. The Mayor or Chairperson will separately call for testimony of those persons who have turned in a "Request to Speak" form. If you wish to speak, please step to the podium at the appropriate time and state your name and address (optional) for the record. The time limit established for public testimony is three minutes per speaker unless a different time limit is announced. Speakers are encouraged to be brief. The Mayor or Chairperson may limit the length of comments due to the number of persons wishing to speak or if comments become repetitious or unrelated.

WRITTEN AGENDA: With limited exceptions, the Elected Body may take action only upon items appearing on the written agenda. Items not appearing on the agenda must be brought back on a subsequent agenda unless they are of a demonstrated emergency or urgent nature, and the need to take action on such items arose after the agenda was posted.

CONSENT CALENDAR: Consent calendar items involve matters which are of a routine or noncontroversial nature. All consent items are

adopted by approval of a single motion by the City Council. Prior to such approval, any item may be removed from the consent portion of the agenda and separately considered upon request of a Councilmember, a staff member, or a member of the public.

Upon request, this agenda can be made available in appropriate alternative formats to persons with a disability in compliance with the Americans with Disabilities Act. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Spanish audio interpretation is provided during Elected Body Meetings. Audio headphones are available in the lobby at the beginning of the meeting.

Audio interpretación en español se proporciona durante sesiones del Consejo Municipal. Los audífonos están disponibles en el pasillo al principio de la junta.

Spanish to English interpretation services are available to members of the public who wish to speak to the City Council during the meeting. "Request to Speak" forms requesting interpretation must be filed within the first two hours of the meeting.

Español a los servicios de interpretación Inglés de audio está disponibles para los miembros del público que desean hablar con el Ayuntamiento durante del Consejo Municipal. "Solicitud para hablar de" formas solicitud de interpretación deben ser presentadas dentro de las dos primeras horas del Consejo Municipal.

COUNCIL REQUESTS THAT ALL CELL PHONES AND PAGERS BE TURNED OFF DURING CITY COUNCIL MEETINGS.

OPEN TO THE PUBLIC

A. CITY COUNCIL

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE TO THE FLAG

PUBLIC COMMENTS (THREE-MINUTE TIME LIMIT)

PROCLAMATIONS AND CERTIFICATES

1. [National City Celebrates International Women's Day and the 70th Anniversary of the Filipino American Women's Club of San Diego County](#)

AWARDS AND RECOGNITIONS

2. [Introduction of New Employee - Elizabeth Estrella, Accounting Assistant. \(Finance\)](#)
3. [Employee of the Quarter 2019 - Santiago Marron, Building Trade Specialist. \(Engineering/Public Works\)](#)
4. [Retiree Service Recognition - Anthony J. Gaut, Equipment Maintenance Supervisor. \(Engineering/Public Works\)](#)

PRESENTATIONS

5. [Presentation on National City's Active Transportation Programs - Circulate San Diego. \(Engineering/Public Works\)](#)
6. [City of National City Single Audit Report on Federal Awards for the Fiscal Year Ended June 30, 2018. \(Finance\)](#)
7. [City of National City Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2018. \(Finance\)](#)

INTERVIEWS / APPOINTMENTS

CONSENT CALENDAR

8. [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this](#)

meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. (City Clerk)

9. Resolution of the City Council of the City of National City approving a First Amendment to the Agreement with Circulate San Diego to provide on-call Active Transportation Planning services to support National City's Safe Routes to School Program and other community outreach efforts that promote alternative modes of transportation such as walking and biking, increasing the not-to-exceed amount of the Agreement by \$300,000, for a total Agreement amount of \$600,000, and extending the term of the Agreement to April 4, 2022; and authorizing the Mayor to execute the Amendment to Agreement. (Engineering/Public Works)
10. Resolution of the City Council of the City of National City: 1) approving an Amendment to the current Service Agreement with Red Truck Fire & Safety Company for an additional amount of \$35,000 for fire sprinkler system repair in City-owned facilities; and 2) authorizing the Mayor to execute the Amendment to the Service Agreement for a total not to exceed amount of \$60,000. (Engineering/Public Works)
11. Resolution of the City Council of the City of National City approving an application for grant funds in the amount of \$914,300 for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project through the California River Parkways Grant Program, administered by the California Natural Resources Agency; and authorizing the City Manager or designee to execute the grant agreement if selected for funding. (Engineering/Public Works)
12. Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with financial institutions on behalf of the City of National City. (Finance)
13. Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with the Local Agency Investment Fund on behalf of the City of National City. (Finance)
14. Temporary Use Permit - The 11th Annual GranFondo San Diego Fun Bike Ride sponsored by Life Sports Foundation on April 7, 2019 from 7:15 a.m. to 5:00 p.m. with no waiver of fees. (Neighborhood Services)
15. Temporary Use Permit - St. Anthony of Padua Church presentation of the "Live Stations of the Cross" starting at 410 W. 18th Street on April 19, 2019 from 3:00 p.m. to 4:00 p.m. with no waiver of fees. (Neighborhood Services)
16. Investment Report for the quarter ended December 31, 2018. (Finance)

17. [Warrant Register #32 for the period of 01/30/19 through 02/05/19 in the amount of \\$1,614,568.82. \(Finance\)](#)
18. [Warrant Register #33 for the period of 02/06/19 through 02/12/19 in the amount of \\$2,076,835.43. \(Finance\)](#)

PUBLIC HEARINGS: ORDINANCES AND RESOLUTIONS

19. [Public Hearing No. 1 of 2 for the U.S Department of Housing and Urban Development \(HUD\) 2019-2020 Annual Action Plan and the allocation of 2019-2020 HUD entitlement grant funds, program income, and funds remaining from completed projects to Community Development Block Grant \(CDBG\) and HOME Investment Partnerships \(HOME\) Program activities proposed for 2019-2020 Annual Action Plan. \(Housing & Economic Development\)](#)

NON CONSENT RESOLUTIONS

20. [Resolution of the City Council of the City of National City: 1\) ratifying the City Managers declaration of emergency for the Valley Road channel slope stabilization and waiving of competitive bidding procedures under emergency conditions consistent with the provisions included in Section 22050 "Emergency Contracting Procedures" of the California Public Contract Code and Section 2.60.230 "Emergency Purchases-Emergency Defined" of the National City Municipal Code; and 2\) approving an increase of \\$80,000 to the General Fund Environmental Compliance Contract Services appropriation through use of General Fund fund balance for completion of the emergency work. \(Engineering/Public Works\)](#)

NEW BUSINESS

21. [Notice of Decision - Planning Commission approval of a Conditional Use Permit for the modification of an existing wireless communications facility on a sign located at 1900 East Plaza Boulevard. \(Applicant: Chris Ward/T-Mobile\) \(Case File 2018-28 CUP\) \(Planning\)](#)
22. [Notice of Decision - Planning Commission approval of a Conditional Use Permit for beer and wine sales at an existing restaurant \(Birriera Negro Durazo\) located at 1604 East 18th Street. \(Applicant: Birriera Negro Durazo\) \(Case File 2018-17 CUP\) \(Planning\)](#)
23. [Notice of Decision - Planning Commission approval of a Conditional Use Permit for beer and wine sales at an existing restaurant \(Salud!\) located at 2333 Highland Avenue. \(Applicant: San Diego Taco Company\) \(Case File 2018-16 CUP\) \(Planning\)](#)
24. [City Council 2019 Legislative Recess. \(City Manager\)](#)

25. [City Council discussion and direction on draft/amended City Council Policy #104 - Rules of Procedure and Order for City Council Meetings. \(City Manager\)](#)

B. COMMUNITY DEVELOPMENT COMMISSION - HOUSING AUTHORITY

CONSENT RESOLUTIONS - HOUSING AUTHORITY

PUBLIC HEARINGS: RESOLUTIONS - HOUSING AUTHORITY

NON CONSENT RESOLUTIONS - HOUSING AUTHORITY

NEW BUSINESS - HOUSING AUTHORITY

C. REPORTS

STAFF REPORTS

MAYOR AND CITY COUNCIL

CLOSED SESSION REPORT

ADJOURNMENT

Regular Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Tuesday - April 2, 2019 - 6:00 p.m. - Council Chamber - National City, California.

Special Meeting of the City Council and Community Development Commission - Housing Authority of the City of National City - Budget Workshop - Tuesday - April 9, 2019 - 6:00 p.m. - Council Chamber - National City, California.

The following page(s) contain the backup material for Agenda Item: [National City Celebrates International Women's Day and the 70th Anniversary of the Filipino American Women's Club of San Diego County](#)

Please scroll down to view the backup material.

Item # ____

03/19/19

**National City Celebrates International Women's Day and
the 70th Anniversary of the Filipino American Women's
Club of San Diego County**

Proclamation Forthcoming

The following page(s) contain the backup material for Agenda Item: [Introduction of New Employee - Elizabeth Estrella, Accounting Assistant. \(Finance\)](#)
Please scroll down to view the backup material.

Item # ____

03/19/19

**Introduction of New Employee
Elizabeth Estrella, Accounting Assistant**

(Finance Department)

The following page(s) contain the backup material for Agenda Item: [Employee of the Quarter 2019 - Santiago Marron, Building Trade Specialist. \(Engineering/Public Works\)](#)
Please scroll down to view the backup material.



CITY OF NATIONAL CITY
M E M O R A N D U M

DATE: February 27, 2019

TO: Leslie Deese, City Manager

FROM: Robert J. Meteau, Jr., Human Resources Director *RJM*

SUBJECT: EMPLOYEE OF THE QUARTER PROGRAM

The Employee Recognition Program communicates the City's appreciation for outstanding performance. In doing so, it recognizes employees who maintain high standards of personal conduct and make significant contributions to the workplace and community.

The employee to be recognized for the 1st Quarter of calendar year 2019 is:

Santiago Marron – Building Trade Specialist

By copy of this memo, the employee is invited to attend the Council meeting on Tuesday, March 19th, 2019 to be recognized for his achievement and service.

Attachment

cc: Santiago Marron
Stephen Manganiello – City Engineer/PW Director
JoAnn Fields – Confidential Assistant
Human Resources – Office File

RECEIVED

FEB 25 2019



CITY OF NATIONAL CITY
HUMAN RESOURCES DEPARTMENT

**Performance Recognition Award
Nomination Form**

I nominate Santiago Marron

for the Performance Recognition Award for the following reasons:

Please state reason why your nominee should receive an award, (i.e., examples of service beyond requirements of position, exemplary service to the public, outstanding job performance, etc). Do not to exceed 150 total words. Please be as specific as possible when giving your examples.

Santiago has served as a Building Trades Specialist with the Public Works Facilities Maintenance Division since November 2016. While his technical skills and workmanship are exemplary, I'm even more impressed with his enthusiasm, positive attitude, and customer service "with a smile!" Santiago is always the first to assist with critical jobs and special events and can always be trusted to work independently, as well as contribute on team projects. Santiago is truly an exceptional person and a huge asset to our Department. We're very happy to nominate him for this deserving award.

FORWARD COMPLETED NOMINATION TO:

National City Performance Recognition Program
Human Resources Department

Nominated by Stephen Manganiello, Director of Public Works / City Engineer

Signature:  Date: 2/25/19

The following page(s) contain the backup material for Agenda Item: [Retiree Service Recognition - Anthony J. Gaut, Equipment Maintenance Supervisor. \(Engineering/Public Works\)](#)


Please scroll down to view the backup material.



City of National City
MEMORANDUM

DATE: March 4, 2019

TO: Esther Clemente, Executive Assistant IV (City Manager's Office)
JoAnn Fields, Confidential Assistant (Mayor's Office)

FROM: Lilia Muñoz, Human Resources Analyst 

SUBJECT: **RETIREE SERVICE RECOGNITION**

The following City employee will be retiring after 35 years of service with the City of National City on March 29, 2019:

NAME: Anthony J. Gaut
POSITION: Equipment Maintenance Supervisor
HIRED: December 1, 1983

As part of the Retiree Recognition Program, the employee wishes to have the opportunity to receive a City Council Recognition at the Council Meeting of **Tuesday, March 19, 2019 at 6pm.**

If this is acceptable, please make the necessary arrangements. The retirement letter and gift card selection memo will be sent prior to the meeting.

Thank you.

cc: Steve Manganiello, Director of PW/City Engineer
Tony Gaut, Equipment Maintenance Supervisor

H:\Recognition Program

The following page(s) contain the backup material for Agenda Item: [Presentation on National City's Active Transportation Programs - Circulate San Diego. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

ITEM NO. _____

3/19/19

PRESENTATION ON NATIONAL CITY'S
ACTIVE TRANSPORTATION PROGRAMS

Circulate San Diego
(Engineering/Public Works)

The following page(s) contain the backup material for Agenda Item: [City of National City Single Audit Report on Federal Awards for the Fiscal Year Ended June 30, 2018.](#)
[\(Finance\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.:

ITEM TITLE:

City of National City Single Audit Report on Federal Awards for the Fiscal Year Ended June 30, 2018.

PREPARED BY: Karim Galeana, Finance Manager

PHONE: 619-336-4331

DEPARTMENT: Finance

APPROVED BY: 

EXPLANATION:

Transmitted herewith is the City of National City's single audit report on federal awards for the fiscal year ended June 30, 2018, prepared by the City's external auditors, The Pun Group, LLP.

The report includes all agencies under the control of the City Council.

The auditors have conducted their examination of the financial statements in accordance with generally accepted auditing standards and have expressed an unmodified ("clean") opinion of those statements.

FINANCIAL STATEMENT:

ACCOUNT NO.
NA

APPROVED: 

FINANCE

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION** ☐ **FINAL ADOPTION** ☐

STAFF RECOMMENDATION:

NA

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

The Single Audit Report on Federal Awards for the Fiscal Year Ended June 30, 2018 is available on the City's website.

Hard copies are available in the City Clerk's Office and the City Library.

The following page(s) contain the backup material for Agenda Item: [City of National City Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2018.](#)
[\(Finance\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.:

ITEM TITLE:

City of National City Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2018.

PREPARED BY: Karim Galeana, Finance Manager

PHONE: 619-336-4331

DEPARTMENT: Finance

APPROVED BY: 

EXPLANATION:

Transmitted herewith is the City of National City's comprehensive annual financial report for the fiscal year ended June 30, 2018, prepared by the City's external auditors, The Pun Group, LLP.

The report includes all agencies under the control of the City Council, as well as the Successor Agency to the Community Development Commission as the National City Redevelopment Agency.

The auditors have conducted their examination of the financial statements in accordance with generally accepted auditing standards and have expressed an unmodified ("clean") opinion of those statements.

FINANCIAL STATEMENT:

ACCOUNT NO.
NA

APPROVED: 

FINANCE

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION** ☐ **FINAL ADOPTION** ☐

STAFF RECOMMENDATION:

NA

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

The Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2018 is available on the City's website.

Hard copies are available in the City Clerk's Office and the City Library.

The following page(s) contain the backup material for Agenda Item: [Motion of the City Council of the City of National City approving the waiving of the reading of the text of the Ordinances considered at this meeting and providing that such Ordinances shall be introduced and/or adopted after a reading of the title only. \(City Clerk\)](#)

Please scroll down to view the backup material.

Item # ____
03/19/19

**MOTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL
CITY APPROVING THE WAIVING OF THE READING OF THE
TEXT OF THE ORDINANCES CONSIDERED AT THIS MEETING
AND PROVIDING THAT SUCH ORDINANCES SHALL BE
INTRODUCED AND/OR ADOPTED AFTER A READING
OF THE TITLE ONLY.**

(City Clerk)

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City approving a First Amendment to the Agreement with Circulate San Diego to provide on-call Active Transportation Planning services to support National City's Safe Routes to School Program and other community outreach efforts that promote alternative modes of transportation such as walking and biking, increasing the not-to-exceed amount of the Agreement by \\$300,000, for a total Agreement amount of \\$600,000, and extending the term of the Agreement to April 4, 2022; and authorizing the Mayor to execute the Amendment to Agreement. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City approving a First Amendment to the Agreement with Circulate San Diego to provide on-call Active Transportation Planning services to support National City's Safe Routes to School Program and other community outreach efforts that promote alternative modes of transportation such as walking and biking, increasing the not-to-exceed amount of the Agreement by \$300,000, for a total Agreement amount of \$600,000, and extending the term of the Agreement to April 4, 2022; and authorizing the Mayor to execute the Amendment to Agreement.

PREPARED BY: Stephen Manganiello, Director of Eng/PW

DEPARTMENT: Engineering/Public Works

PHONE: 619-336-4382

APPROVED BY: _____

EXPLANATION:

See attached.



FINANCIAL STATEMENT:

APPROVED:  Finance

ACCOUNT NO.

APPROVED: _____ MIS

Funds for FY 2019 are appropriated in CIP account # 001-409-500-598-6573 (Traffic Safety/Transportation Improvements); funding for subsequent fiscal years will be requested through the annual CIP budget.

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION: ☐ FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Adopt Resolution approving a First Amendment to the Agreement with Circulate San Diego to provide on-call Active Transportation Planning services.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation
2. First Amendment to Agreement
3. Resolution

Explanation:

On April 5, 2016, per City Council Resolution No. 2016-50, the City of National City entered into an Agreement with Circulate San Diego to provide on-call Active Transportation Planning services to support National City's Safe Routes to School Program and other community outreach efforts that promote alternative modes of transportation such as walking and biking. The Agreement is for a not-to-exceed amount of \$300,000 and a term of three years, with the option to extend for one additional three-year period.

Based on their performance and quality of work, staff recommends amending the Agreement with Circulate San Diego to allow them to continue providing Active Transportation Planning services for National City. The First Amendment to Agreement would increase the not-to-exceed amount by \$300,000, for a total Agreement amount of \$600,000, and extend the term of the Agreement to April 4, 2022. Funds for FY 2019 are appropriated in CIP account # 001-409-500-598-6573 (Traffic Safety/Transportation Improvements); funding for subsequent fiscal years will be appropriated through the annual CIP budget.

**FIRST AMENDMENT TO AGREEMENT
BY AND BETWEEN
THE CITY OF NATIONAL CITY
AND CIRCULATE SAN DIEGO**

This First Amendment to the Agreement is entered into this 19th day of March, 2019 by and between the City of National City, a municipal corporation ("CITY"), and Circulate San Diego, a regional non-profit organization (the "CONSULTANT").

RECITALS

WHEREAS, The CITY and the CONSULTANT entered into an Agreement on April 5, 2016, (the "Agreement") through the adoption of City Council Resolution No. 2016-50, wherein the CONSULTANT agreed to provide on-call Active Transportation Planning services to support National City's Safe Routes to School Program and other community outreach efforts that promote alternative modes of transportation such as walking and biking; and

WHEREAS, the Agreement, had a not-to-exceed amount of \$300,000 and a term of three years, with the option to extend for one additional three-year period; and

WHEREAS, based on the CONSULTANT'S performance and quality of work, the CITY desires to have the CONSULTANT continue providing Active Transportation Planning services, and the CONSULTANT is willing to perform such services; therefore, the parties desire to increase the not-to-exceed amount by \$300,000, for a total Agreement amount of \$600,000, and extend the term of the Agreement to April 4, 2022.

AGREEMENT

NOW, THEREFORE, the parties agree to amend the Agreement entered into on April 5, 2016, as follows:

1. Increase the not-to-exceed amount by \$300,000, for a total Agreement amount of \$600,000.
2. Extend the term of the Agreement to April 4, 2022.

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///

3. The parties further agree that other than the foregoing amendment, each and every term and provision of the Agreement dated April 5, 2016, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to Agreement on the date and year first above written.

CITY OF NATIONAL CITY

By: _____
Alejandra Sotelo-Solis, Mayor

CIRCULATE SAN DIEGO

By: _____
Colin Parent
Executive Director

By: _____
Eduardo Velasquez
Board Chair

APPROVED AS TO FORM:

Angil P. Morris-Jones
National City Attorney

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
APPROVING A FIRST AMENDMENT TO THE AGREEMENT WITH CIRCULATE SAN DIEGO
TO PROVIDE ON-CALL ACTIVE TRANSPORTATION PLANNING SERVICES TO SUPPORT
NATIONAL CITY'S SAFE ROUTES TO SCHOOL PROGRAM AND OTHER COMMUNITY
OUTREACH EFFORTS THAT PROMOTE ALTERNATIVE MODES OF TRANSPORTATION
SUCH AS WALKING AND BIKING, INCREASING THE NOT-TO-EXCEED AMOUNT OF THE
AGREEMENT BY \$300,000, FOR A TOTAL AGREEMENT AMOUNT OF \$600,000, AND
EXTENDING THE TERM OF THE AGREEMENT TO APRIL 4, 2022, AND AUTHORIZING THE
MAYOR TO EXECUTE THE AMENDMENT TO AGREEMENT.

WHEREAS, on April 5, 2016, the City Council adopted Resolution No. 2016-50,
approving an Agreement in the not to exceed amount of \$300,000 with Circulate San Diego for
the purpose of providing on-call Active Transportation Planning services to support National City's
Safe Routes to School Program and other community outreach efforts that promote alternative
modes of transportation such as walking and biking; and

WHEREAS, staff recommends amending the Agreement with Circulate San Diego
to allow them to continue providing Active Transportation Planning services for National City,
increase the not to exceed amount by \$300,000, for a total not to exceed amount of \$600,000
and extend the term of the Agreement to April 4, 2022.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of
National City does hereby authorizes the Mayor to execute a First Amendment to the Agreement
with Circulate San Diego to extend the term of the Agreement to April 4, 2022, and to increase
the not to exceed amount by \$300,000, for a total not to exceed amount of \$600,000. Said First
Amendment is on file in the office of the City Clerk.

PASSED and ADOPTED this 19th day of March, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil Morris-Jones
City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City: 1\) approving an Amendment to the current Service Agreement with Red Truck Fire & Safety Company for an additional amount of \\$35,000 for fire sprinkler system repair in City-owned facilities; and 2\) authorizing the Mayor to execute the Amendment to the Service Agreement for a total not to exceed amount of \\$60,000. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City, 1) approving an Amendment to the current Service Agreement with Red Truck Fire & Safety Company in the amount of \$35,000 for fire sprinkler system repair in City-owned facilities; and 2) authorizing the Mayor to execute the Amendment to the Service Agreement.

PREPARED BY: Arturo Gonzalez, Facilities Maintenance Supv.

DEPARTMENT: Engineering/Public Works

PHONE: 619-336-4585

APPROVED BY: 

EXPLANATION:

The City of National City entered into a Service Agreement with Red Truck Fire & Safety Company on January 24, 2019 for fire extinguisher system certification, service, maintenance fire sprinkler certification, and repairs. The Service Agreement had a not to exceed annual cost of \$25,000 and fell within the signing and approval authority of the City Manager. After assessing the existing fire sprinkler systems in City-owned facilities, the contractor provided the City a comprehensive list of necessary repairs and associated costs. The cost of the repairs, including materials, supplies, and labor, are estimated to be \$35,000. The additional costs added to the original Service Agreement amount is \$60,000 which exceeds the City Manager's authority, therefore, staff is requesting Council approval of the Service Agreement Amendment.

FINANCIAL STATEMENT:

APPROVED: 

Finance

ACCOUNT NO.

APPROVED: _____

MIS

Contract Award

\$35,000: 626-416-223-299-0000 (Facilities Maintenance Fund)

Funds are appropriated and available in the above account.

ENVIRONMENTAL REVIEW:

This is not a project and does not require environmental review.

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt Resolution approving an Amendment to the Service Agreement with Red Truck Fire & Safety Company in the amount of \$35,000 for fire sprinkler repair in city-owned facilities.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. First Amendment to the Agreement with Red Truck Fire & Safety Company
2. Resolution

**FIRST AMENDMENT TO THE AGREEMENT
BY AND BETWEEN
THE CITY OF NATIONAL CITY
AND
RED TRUCK FIRE & SAFETY COMPANY**

THIS FIRST AMENDMENT TO THE AGREEMENT is entered into this 19th day of March, 2019, by and between the CITY OF NATIONAL CITY, a municipal corporation ("CITY"), and RED TRUCK FIRE & SAFETY COMPANY (the "CONTRACTOR").

RECITALS

WHEREAS, the CITY and the CONTRACTOR entered into an Agreement on January 24, 2019 ("the Agreement"), wherein the CONTRACTOR agreed to provide City-wide, on-site fire extinguisher system certification, services, maintenance, fire sprinkler certification, and repairs, as-needed, for a not to exceed amount of \$25,000. Due to identified repairs required to maintain the City's fire sprinkler system, additional funds not to exceed \$35,000 are necessary, for a not to exceed amount of \$60,000.

AGREEMENT

NOW, THEREFORE, the parties hereto agree that the Agreement entered into on January 24, 2019, shall be amended to increase the not-to-exceed amount by \$35,000, for a total not to exceed amount of \$60,000.

The parties further agree that with the foregoing exception, each and every term and provision of the Agreement dated January 24, 2019, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this First Amendment to the Agreement on the date and year first above written.

CITY OF NATIONAL CITY

By: _____
Alejandra Sotelo-Solis
Mayor

By: _____
Angil P. Morris-Jones
City Attorney

RED TRUCK FIRE & SAFETY CO.

By: _____
Daniel Borchardt
Vice President

By: _____
Tim Gioutlos
Systems Manager

EXHIBIT A



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21843

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Fire Station 34
343 E. 16th St.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
1	<p>CONFIDENTIAL DEFICIENCY REPAIRS BID</p> <p>Arturo 619-405-9789 arturog@nationalcityca.gov</p> <p>SCOPE OF WORK: Deficiency Repairs. Drain system. Replace up to (137) corroded and painted sprinkler heads and escutcheons. Replace all needed signage. Replace guage and one packing kit.</p> <p>This proposal includes all materials, tools, and labor to repair approved deficiencies for the project referenced above. Replacement fire sprinklers will match the existing flow characteristics of the existing sprinklers being removed. This proposal is based upon all listed deficiencies being performed with uninterrupted access 8 hours per day. Stand by time is charged as an add-on to bid at \$95 per hour. All work to be performed during normal working hours (7:00am through 4:00pm)</p> <p>Sprinkler Repair</p> <p>EXCLUSIONS:</p> <ol style="list-style-type: none"> Working in areas with hazardous material, as defined by OSHA. Overtime, off-hours work & working during holidays. Plans, submittals, city fees, permits and inspections. DSA or OSHPD approvals. Draining fire sprinkler system by any other means than open atmosphere. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing. Clearing around inspectors test. Cut & patch (Including, but not limited to walls, tiles, cement, asphalt, concrete, flooring, etc). Landscaping. Painting or Paint Preparation. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. MIC investigation and/or testing. 	9,395.00	9,395.00
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	
<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>		<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%)</p> <p>Total</p>



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

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3/5/2019

21843

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Fire Station 34
343 E. 16th St.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
	<p>8. A 5-Year Title 19 Certification, Annual Certification, Quarterly Certification.</p> <p>9. Work not noted on quote. Product Warranties. Additional repairs and items discovered during deficiency repair are not included in this bid. Red Truck fire & Safety Co. will not assume any responsibility for the integrity of the existing Fire Sprinkler system. Components may fail as a result of testing or repairs.</p> <p>10. Fire Sprinkler System Design & Layout Inspection/Evaluation/Reports on current system, sprinkler heads, pipes, brackets, braces, valves, FDC, and all other fire sprinkler system components.</p> <p>11. Report, Evaluation, Inspection on whether your current Fire Sprinkler System has adequate fire protection coverage for the premises and meets current fire sprinkler system standards and codes.</p> <p>12. Fire Pump inspection and/or repair. Customer to provide up-to-date passing inspection report for Fire Pump. Please notify Red Truck Fire & Safety Co. technician(s) on date of repair and prior to their departure if fire sprinkler system water has not been restored to system or if water valve(s) have NOT been left in "OPEN" position. Customer to make sure fire protection systems are placed "online" with an alarm monitoring company. Payment is due at completion of repairs. (We accept Visa/MC) 27MH</p> <p>(Page 2 of 2)</p>		
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	\$9395.00
<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>		<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%) \$0.00</p> <p>Total \$9,395.00</p>

Confidential proposal expires in 30 days. Unless specified, replacement for damaged and/or missing parts/components are charged separately. Recharge & Hydrotest Services are not included in "Annual Maintenance" service. Fire Extinguisher proposals apply to ABC Dry Chem Hand Portables, unless specified. By submitting signed proposal, the authorized Customer representative is agreeing to the Red Truck Fire & Safety Co. Terms & Conditions on behalf of Customer. (Please view Terms & Conditions at RedTruckInc.com) Please notify us regarding any special insurance, local, city, and/or fire department requirements.



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21841

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Civic Center / City Hall
1243 National City Blvd.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
1	<p>CONFIDENTIAL DEFICIENCY REPAIRS BID</p> <p>Arturo 619-405-9789 arturog@nationalcityca.gov</p> <p>SCOPE OF WORK: Deficiency Repairs. Drain system. Replace up to (15) corroded and painted sprinkler heads and escutcheons. Have one head from each corner of building UL tested. Install fire sprinkler bell circuit. Install 120V sprinkler bell outside of building and connect it to flow switch. Replace up to (6) fire hoses with new hoses. This proposal includes all materials, tools, and labor to repair approved deficiencies for the project referenced above. Replacement fire sprinklers will match the existing flow characteristics of the existing sprinklers being removed. This proposal is based upon all listed deficiencies being performed with uninterrupted access 8 hours per day. Stand by time is charged as an add-on to bid at \$95 per hour. All work to be performed during normal working hours (7:00am through 4:00pm)</p> <p>Sprinkler Repair</p> <p>EXCLUSIONS:</p> <ol style="list-style-type: none"> 1. Working in areas with hazardous material, as defined by OSHA. 2. Overtime, off-hours work & working during holidays. 3. Plans, submittals, city fees, permits and inspections. DSA or OSHPD approvals. 4 Draining fire sprinkler system by any other means than open atmosphere. 5. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing. 6. Clearing around inspectors test. Cut & patch (Including, but not limited to walls, tiles, cement, asphalt, concrete, flooring, etc). Landscaping. Painting or Paint Preparation. 7. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. MIC investigation and/or testing. 	8,695.00	8,695.00
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	
<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>		<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%)</p> <p>Total</p>

**Red Truck Fire & Safety Co.**

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21841

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Civic Center / City Hall
1243 National City Blvd.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
	<p>8. A 5-Year Title 19 Certification, Annual Certification, Quarterly Certification.</p> <p>9. Work not noted on quote. Product Warranties. Additional repairs and items discovered during deficiency repair are not included in this bid. Red Truck fire & Safety Co. will not assume any responsibility for the integrity of the existing Fire Sprinkler system. Components may fail as a result of testing or repairs.</p> <p>10. Fire Sprinkler System Design & Layout Inspection/Evaluation/Reports on current system, sprinkler heads, pipes, brackets, braces, valves, FDC, and all other fire sprinkler system components.</p> <p>11. Report, Evaluation, Inspection on whether your current Fire Sprinkler System has adequate fire protection coverage for the premises and meets current fire sprinkler system standards and codes.</p> <p>12. Fire Pump inspection and/or repair. Customer to provide up-to-date passing inspection report for Fire Pump. Please notify Red Truck Fire & Safety Co. technician(s) on date of repair and prior to their departure if fire sprinkler system water has not been restored to system or if water valve(s) have NOT been left in "OPEN" position. Customer to make sure fire protection systems are placed "online" with an alarm monitoring company. Payment is due at completion of repairs. (We accept Visa/MC) 16MH</p> <p>(Page 2 of 2)</p>		
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	\$8695.00
Info@RedTruckFire.com		www.RedTruckFire.com	
Phone #		Fax #	
800 973-3878		877 443-8080	
		Sales Tax (8.75%)	\$0.00
		Total	\$8,695.00

Confidential proposal expires in 30 days. Unless specified, replacement for damaged and/or missing parts/components are charged separately. Recharge & Hydrotest Services are not included in "Annual Maintenance" service. Fire Extinguisher proposals apply to ABC Dry Chem Hand Portables, unless specified. By submitting signed proposal, the authorized Customer representative is agreeing to the Red Truck Fire & Safety Terms & Conditions on behalf of Customer. (Please view Terms & Conditions at RedTruckInc.com) Please notify us regarding any special insurance, local, city, and/or fire department requirements.

**Red Truck Fire & Safety Co.**

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21840

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Public Library
1401 National City Blvd.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
1	<p>CONFIDENTIAL DEFICIENCY REPAIRS BID</p> <p>Arturo 619-405-9789 arturog@nationalcityca.gov</p> <p>SCOPE OF WORK: Deficiency Repairs. Drain system. Replace up to (147) corroded sprinkler heads and escutcheons throughout building. Replace guage. Replace 120V electrical bell. Add all needed signage. Replace leaking OS&Y valve. Refill system.</p> <p>This proposal includes all materials, tools, and labor to repair approved deficiencies for the project referenced above. Replacement fire sprinklers will match the existing flow characteristics of the existing sprinklers being removed. This proposal is based upon all listed deficiencies being performed with uninterrupted access 8 hours per day. Stand by time is charged as an add-on to bid at \$95 per hour. All work to be performed during normal working hours (7:00am through 4:00pm)</p> <p>Sprinkler Repair</p> <p>EXCLUSIONS:</p> <p>1. Working in areas with hazardous material, as defined by OSHA.</p> <p>2. Overtime, off-hours work & working during holidays.</p> <p>3. Plans, submittals, city fees, permits and inspections. DSA or OSHPD approvals.</p> <p>4 Draining fire sprinkler system by any other means than open atmosphere.</p> <p>5. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing.</p> <p>6. Clearing around inspectors test. Cut & patch (Including, but not limited to walls, tiles, cement, asphalt, concrete, flooring, etc). Landscaping. Painting or Paint Preparation.</p> <p>7. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. MIC investigation and/or testing.</p>	9,795.00	9,795.00
Authorization Date: _____		Subtotal	
Authorizing Signature: _____			
Authorizing Name: (Print) _____			
Info@RedTruckFire.com	www.RedTruckFire.com	Sales Tax (8.75%)	
Phone #	Fax #	Total	
800 973-3878	877 443-8080		



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21840

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Public Library
1401 National City Blvd.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
	<p>8. A 5-Year Title 19 Certification, Annual Certification, Quarterly Certification.</p> <p>9. Work not noted on quote. Product Warranties. Additional repairs and items discovered during deficiency repair are not included in this bid. Red Truck fire & Safety Co. will not assume any responsibility for the integrity of the existing Fire Sprinkler system. Components may fail as a result of testing or repairs.</p> <p>10. Fire Sprinkler System Design & Layout Inspection/Evaluation/Reports on current system, sprinkler heads, pipes, brackets, braces, valves, FDC, and all other fire sprinkler system components.</p> <p>11. Report, Evaluation, Inspection on whether your current Fire Sprinkler System has adequate fire protection coverage for the premises and meets current fire sprinkler system standards and codes.</p> <p>12. Fire Pump inspection and/or repair. Customer to provide up-to-date passing inspection report for Fire Pump.</p> <p>Please notify Red Truck Fire & Safety Co. technician(s) on date of repair and prior to their departure if fire sprinkler system water has not been restored to system or if water valve(s) have NOT been left in "OPEN" position. Customer to make sure fire protection systems are placed "online" with an alarm monitoring company.</p> <p>Payment is due at completion of repairs. (We accept Visa/MC) 20MH w/ 2LM MLN</p> <p>(Page 2 of 2)</p>		
	<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		
		Subtotal	\$9795.00
	<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>	<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%) \$0.00</p> <p>Total \$9,795.00</p>

Confidential proposal expires in 30 days. Unless specified, replacement for damaged and/or missing parts/components are charged separately. Recharge & Hydrotest Services are not included in "Annual Maintenance" service. Fire Extinguisher proposals apply to ABC Dry Chem Hand Portables, unless specified. By submitting signed proposal, the authorized Customer representative is agreeing to the Red Truck Fire & Safety Co. Terms & Conditions on behalf of Customer. (Please view Terms & Conditions at RedTruckInc.com) Please notify us regarding any special insurance, local, city, and/or fire department requirements.



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21836

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Martin Luther King Comm.
140 E. 12th St.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
1	<p>CONFIDENTIAL DEFICIENCY REPAIRS BID</p> <p>Arturo 619-405-9789 arturog@nationalcityca.gov</p> <p>SCOPE OF WORK: Deficiency Repairs. Replace up to (14) corroded sprinkler heads and escutcheons throughout building. Customer to try to locate calc card for system.</p> <p>This proposal includes all materials, tools, and labor to repair approved deficiencies for the project referenced above. Replacement fire sprinklers will match the existing flow characteristics of the existing sprinklers being removed. This proposal is based upon all listed deficiencies being performed with uninterrupted access 8 hours per day. Stand by time is charged as an add-on to bid at \$95 per hour. All work to be performed during normal working hours (7:00am through 4:00pm)</p> <p>Sprinkler Repair</p> <p>EXCLUSIONS:</p> <ol style="list-style-type: none"> 1. Working in areas with hazardous material, as defined by OSHA. 2. Overtime, off-hours work & working during holidays. 3. Plans, submittals, city fees, permits and inspections. DSA or OSHPD approvals. 4. Draining fire sprinkler system by any other means than open atmosphere. 5. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing. 6. Clearing around inspectors test. Cut & patch (Including, but not limited to walls, tiles, cement, asphalt, concrete, flooring, etc). Landscaping. Painting or Paint Preparation. 7. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. MIC investigation and/or testing. 	895.00	895.00
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	
<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>		<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%)</p> <p>Total</p>

**Red Truck Fire & Safety Co.**

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21836

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Martin Luther King Comm.
140 E. 12th St.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
	<p>8. A 5-Year Title 19 Certification, Annual Certification, Quarterly Certification.</p> <p>9. Work not noted on quote. Product Warranties. Additional repairs and items discovered during deficiency repair are not included in this bid. Red Truck fire & Safety Co. will not assume any responsibility for the integrity of the existing Fire Sprinkler system. Components may fail as a result of testing or repairs.</p> <p>10. Fire Sprinkler System Design & Layout Inspection/Evaluation/Reports on current system, sprinkler heads, pipes, brackets, braces, valves, FDC, and all other fire sprinkler system components.</p> <p>11. Report, Evaluation, Inspection on whether your current Fire Sprinkler System has adequate fire protection coverage for the premises and meets current fire sprinkler system standards and codes.</p> <p>12. Fire Pump inspection and/or repair. Customer to provide up-to-date passing inspection report for Fire Pump.</p> <p>Please notify Red Truck Fire & Safety Co. technician(s) on date of repair and prior to their departure if fire sprinkler system water has not been restored to system or if water valve(s) have NOT been left in "OPEN" position. Customer to make sure fire protection systems are placed "online" with an alarm monitoring company.</p> <p>Payment is due at completion of repairs. (We accept Visa/MC) 3MH</p> <p>(Page 2 of 2)</p>		
	Authorization Date: _____ Authorizing Signature: _____ Authorizing Name: (Print) _____	Subtotal	\$895.00
	Info@RedTruckFire.com www.RedTruckFire.com	Sales Tax (8.75%)	\$0.00
	Phone # Fax #	Total	\$895.00
	800 973-3878 877 443-8080		

Confidential proposal expires in 30 days. Unless specified, replacement for damaged and/or missing parts/components are charged separately. Recharge & Hydrotest Services are not included in "Annual Maintenance" service. Fire Extinguisher proposals apply to ABC Dry Chem Hand Portables, unless specified. By submitting signed proposal, the authorized Customer representative is agreeing to the Red Truck Fire & Safety Co. Terms & Conditions on behalf of Customer. (Please view Terms & Conditions at RedTruckInc.com) Please notify us regarding any special insurance, local, city, and/or fire department requirements.



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21835

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Fire Station 33
2005 4th Ave. Ste. C
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
1	<p>CONFIDENTIAL DEFICIENCY REPAIRS BID</p> <p>Arturo 619-405-9789 arturog@nationalcityca.gov</p> <p>SCOPE OF WORK: Deficiency Repairs. Building needs new fire service supply main. Replace flow switch and install spare sprinklers and spare sprinkler head box. Install all applicable signage. Install new guage. Replace 90 degree pressure relief main drain. System is made up of piping that does not allow it to get proper pressure. Hydraulic Calculations may need to be re-done; not supplied by Red Truck.</p> <p>This proposal includes all materials, tools, and labor to repair approved deficiencies for the project referenced above. Replacement fire sprinklers will match the existing flow characteristics of the existing sprinklers being removed. This proposal is based upon all listed deficiencies being performed with uninterrupted access 8 hours per day. Stand by time is charged as an add-on to bid at \$95 per hour. All work to be performed during normal working hours (7:00am through 4:00pm)</p> <p>Sprinkler Repair</p> <p>EXCLUSIONS:</p> <ol style="list-style-type: none"> 1. Working in areas with hazardous material, as defined by OSHA. 2. Overtime, off-hours work & working during holidays. 3. Plans, submittals, city fees, permits and inspections. DSA or OSHPD approvals. 4. Draining fire sprinkler system by any other means than open atmosphere. 5. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing. 6. Clearing around inspectors test. Cut & patch (Including, but not limited to walls, tiles, cement, asphalt, concrete, flooring, etc). Landscaping. Painting or Paint Preparation. 7. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. MIC investigation and/or testing. 	1,595.00	1,595.00
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	
<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>		<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%)</p> <p>Total</p>



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COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Fire Station 33
2005 4th Ave. Ste. C
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
	<p>8. A 5-Year Title 19 Certification, Annual Certification, Quarterly Certification.</p> <p>9. Work not noted on quote. Product Warranties. Additional repairs and items discovered during deficiency repair are not included in this bid. Red Truck fire & Safety Co. will not assume any responsibility for the integrity of the existing Fire Sprinkler system. Components may fail as a result of testing or repairs.</p> <p>10. Fire Sprinkler System Design & Layout Inspection/Evaluation/Reports on current system, sprinkler heads, pipes, brackets, braces, valves, FDC, and all other fire sprinkler system components.</p> <p>11. Report, Evaluation, Inspection on whether your current Fire Sprinkler System has adequate fire protection coverage for the premises and meets current fire sprinkler system standards and codes.</p> <p>12. Fire Pump inspection and/or repair. Customer to provide up-to-date passing inspection report for Fire Pump. Please notify Red Truck Fire & Safety Co. technician(s) on date of repair and prior to their departure if fire sprinkler system water has not been restored to system or if water valve(s) have NOT been left in "OPEN" position. Customer to make sure fire protection systems are placed "online" with an alarm monitoring company. Payment is due at completion of repairs. (We accept Visa/MC) 5MH</p> <p>(Page 2 of 2)</p>		
	Authorization Date: _____ Authorizing Signature: _____ Authorizing Name: (Print) _____	Subtotal	\$1595.00
	Info@RedTruckFire.com www.RedTruckFire.com	Sales Tax (8.75%)	\$0.00
	Phone # Fax #	Total	\$1,595.00
	800 973-3878 877 443-8080		

Confidential proposal expires in 30 days. Unless specified, replacement for damaged and/or missing parts/components are charged separately. Recharge & Hydrotect Services are not included in "Annual Maintenance" service. Fire Extinguisher proposals apply to ABC Dry Chem Hand Portables, unless specified. By submitting signed proposal, the authorized Customer representative is agreeing to the Red Truck Fire & Safety Terms & Conditions on behalf of Customer. (Please view Terms & Conditions at RedTruckInc.com) Please notify us regarding any special insurance, local, city, and/or fire department requirements.



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21847

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Police Department
1200 National City Blvd.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
1	<p>CONFIDENTIAL DEFICIENCY REPAIRS BID</p> <p>Arturo 619-405-9789 arturog@nationalcityca.gov</p> <p>SCOPE OF WORK: Deficiency Repairs. Drain system. Replace up to (86) sprinkler heads and escutcheons throughout whole building. Replace gauge. Install all needed signage.</p> <p>This proposal includes all materials, tools, and labor to repair approved deficiencies for the project referenced above. Replacement fire sprinklers will match the existing flow characteristics of the existing sprinklers being removed. This proposal is based upon all listed deficiencies being performed with uninterrupted access 8 hours per day. Stand by time is charged as an add-on to bid at \$95 per hour. All work to be performed during normal working hours (7:00am through 4:00pm)</p> <p>Sprinkler Repair</p> <p>EXCLUSIONS:</p> <ol style="list-style-type: none"> 1. Working in areas with hazardous material, as defined by OSHA. 2. Overtime, off-hours work & working during holidays. 3. Plans, submittals, city fees, permits and inspections. DSA or OSHPD approvals. 4 Draining fire sprinkler system by any other means than open atmosphere. 5. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing. 6. Clearing around inspectors test. Cut & patch (Including, but not limited to walls, tiles, cement, asphalt, concrete, flooring, etc). Landscaping. Painting or Paint Preparation. 7. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. MIC investigation and/or testing. 	3,995.00	3,995.00
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	
<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>		<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%)</p> <p>Total</p>



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21847

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Police Department
1200 National City Blvd.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
	<p>8. A 5-Year Title 19 Certification, Annual Certification, Quarterly Certification.</p> <p>9. Work not noted on quote. Product Warranties. Additional repairs and items discovered during deficiency repair are not included in this bid. Red Truck fire & Safety Co. will not assume any responsibility for the integrity of the existing Fire Sprinkler system. Components may fail as a result of testing or repairs.</p> <p>10. Fire Sprinkler System Design & Layout Inspection/Evaluation/Reports on current system, sprinkler heads, pipes, brackets, braces, valves, FDC, and all other fire sprinkler system components.</p> <p>11. Report, Evaluation, Inspection on whether your current Fire Sprinkler System has adequate fire protection coverage for the premises and meets current fire sprinkler system standards and codes.</p> <p>12. Fire Pump inspection and/or repair. Customer to provide up-to-date passing inspection report for Fire Pump. Please notify Red Truck Fire & Safety Co. technician(s) on date of repair and prior to their departure if fire sprinkler system water has not been restored to system or if water valve(s) have NOT been left in "OPEN" position. Customer to make sure fire protection systems are placed "online" with an alarm monitoring company. Payment is due at completion of repairs. (We accept Visa/MC) 16MH</p> <p>(Page 2 of 2)</p>		
	<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		
		Subtotal	\$3995.00
	<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>	<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%) \$0.00</p> <p>Total \$3,995.00</p>

Confidential proposal expires in 30 days. Unless specified, replacement for damaged and/or missing parts/components are charged separately. Recharge & Hydrotest Services are not included in "Annual Maintenance" service. Fire Extinguisher proposals apply to ABC Dry Chem Hand Portables, unless specified. By submitting signed proposal, the authorized Customer representative is agreeing to the Red Truck Fire & Safety Co. Terms & Conditions on behalf of Customer. (Please view Terms & Conditions at RedTruckInc.com) Please notify us regarding any special insurance, local, city, and/or fire department requirements.



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21846

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Public Works
1726 Wilson Ave.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
1	<p>CONFIDENTIAL DEFICIENCY REPAIRS BID</p> <p>Arturo 619-405-9789 arturog@nationalcityca.gov</p> <p>SCOPE OF WORK: Deficiency Repairs. Replace faded Calc Card. Install missing AUX. Install all needed signage. Replace guage.</p> <p>This proposal includes all materials, tools, and labor to repair approved deficiencies for the project referenced above. Replacement fire sprinklers will match the existing flow characteristics of the existing sprinklers being removed. This proposal is based upon all listed deficiencies being performed with uninterrupted access 8 hours per day. Stand by time is charged as an add-on to bid at \$95 per hour. All work to be performed during normal working hours (7:00am through 4:00pm)</p> <p>Sprinkler Repair</p> <p>EXCLUSIONS:</p> <ol style="list-style-type: none"> Working in areas with hazardous material, as defined by OSHA. Overtime, off-hours work & working during holidays. Plans, submittals, city fees, permits and inspections. DSA or OSHPD approvals. Draining fire sprinkler system by any other means than open atmosphere. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing. Clearing around inspectors test. Cut & patch (Including, but not limited to walls, tiles, cement, asphalt, concrete, flooring, etc). Landscaping. Painting or Paint Preparation. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. MIC investigation and/or testing. 	895.00	895.00
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	
<p>Info@RedTruckFire.com</p>		Sales Tax (8.75%)	
<p>Phone #</p>		Fax #	
<p>800 973-3878</p>		<p>877 443-8080</p>	
		Total	



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21846

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Public Works
1726 Wilson Ave.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
	<p>8. A 5-Year Title 19 Certification, Annual Certification, Quarterly Certification.</p> <p>9. Work not noted on quote. Product Warranties. Additional repairs and items discovered during deficiency repair are not included in this bid. Red Truck fire & Safety Co. will not assume any responsibility for the integrity of the existing Fire Sprinkler system. Components may fail as a result of testing or repairs.</p> <p>10. Fire Sprinkler System Design & Layout Inspection/Evaluation/Reports on current system, sprinkler heads, pipes, brackets, braces, valves, FDC, and all other fire sprinkler system components.</p> <p>11. Report, Evaluation, Inspection on whether your current Fire Sprinkler System has adequate fire protection coverage for the premises and meets current fire sprinkler system standards and codes.</p> <p>12. Fire Pump inspection and/or repair. Customer to provide up-to-date passing inspection report for Fire Pump. Please notify Red Truck Fire & Safety Co. technician(s) on date of repair and prior to their departure if fire sprinkler system water has not been restored to system or if water valve(s) have NOT been left in "OPEN" position. Customer to make sure fire protection systems are placed "online" with an alarm monitoring company. Payment is due at completion of repairs. (We accept Visa/MC) 3MH</p> <p>(Page 2 of 2)</p>		
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	\$895.00
<p>Info@RedTruckFire.com</p>		www.RedTruckFire.com	
Phone #		Fax #	
800 973-3878		877 443-8080	
		Sales Tax (8.75%)	\$0.00
		Total	\$895.00

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Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21845

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Public Works 2
726 W. 19th St.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
1	<p>CONFIDENTIAL DEFICIENCY REPAIRS BID</p> <p>Arturo 619-405-9789 arturog@nationalcityca.gov</p> <p>SCOPE OF WORK: Deficiency Repairs. Drain system. Replace up to (1) corroded and painted sprinkler head and escutcheon. Install spare sprinkler box with up to (6) spare sprinklers of each kind. Install all needed signage. This proposal includes all materials, tools, and labor to repair approved deficiencies for the project referenced above. Replacement fire sprinklers will match the existing flow characteristics of the existing sprinklers being removed. This proposal is based upon all listed deficiencies being performed with uninterrupted access 8 hours per day. Stand by time is charged as an add-on to bid at \$95 per hour. All work to be performed during normal working hours (7:00am through 4:00pm)</p> <p>Sprinkler Repair</p> <p>EXCLUSIONS:</p> <ol style="list-style-type: none"> Working in areas with hazardous material, as defined by OSHA. Overtime, off-hours work & working during holidays. Plans, submittals, city fees, permits and inspections. DSA or OSHPD approvals. Draining fire sprinkler system by any other means than open atmosphere. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing. Clearing around inspectors test. Cut & patch (Including, but not limited to walls, tiles, cement, asphalt, concrete, flooring, etc). Landscaping. Painting or Paint Preparation. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. MIC investigation and/or testing. 	895.00	895.00
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	
<p>Info@RedTruckFire.com</p>		Sales Tax (8.75%)	
Phone #		Fax #	
800 973-3878		Total	
		877 443-8080	



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21845

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Public Works 2
726 W. 19th St.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
	<p>8. A 5-Year Title 19 Certification, Annual Certification, Quarterly Certification.</p> <p>9. Work not noted on quote. Product Warranties. Additional repairs and items discovered during deficiency repair are not included in this bid. Red Truck fire & Safety Co. will not assume any responsibility for the integrity of the existing Fire Sprinkler system. Components may fail as a result of testing or repairs.</p> <p>10. Fire Sprinkler System Design & Layout Inspection/Evaluation/Reports on current system, sprinkler heads, pipes, brackets, braces, valves, FDC, and all other fire sprinkler system components.</p> <p>11. Report, Evaluation, Inspection on whether your current Fire Sprinkler System has adequate fire protection coverage for the premises and meets current fire sprinkler system standards and codes.</p> <p>12. Fire Pump inspection and/or repair. Customer to provide up-to-date passing inspection report for Fire Pump. Please notify Red Truck Fire & Safety Co. technician(s) on date of repair and prior to their departure if fire sprinkler system water has not been restored to system or if water valve(s) have NOT been left in "OPEN" position. Customer to make sure fire protection systems are placed "online" with an alarm monitoring company.</p> <p>Payment is due at completion of repairs. (We accept Visa/MC) 2MH</p> <p>(Page 2 of 2)</p>		
	<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>	Subtotal	\$895.00
	<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>	<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%) \$0.00</p> <p>Total \$895.00</p>

Confidential proposal expires in 30 days. Unless specified, replacement for damaged and/or missing parts/components are charged separately. Recharge & Hydrotest Services are not included in "Annual Maintenance" service. Fire Extinguisher proposals apply to ABC Dry Chem Hand Portables, unless specified. By submitting signed proposal, the authorized Customer representative is agreeing to the Red Truck Fire & Safety Terms & Conditions on behalf of Customer. (Please view Terms & Conditions at RedTruckInc.com) Please notify us regarding any special insurance, local, city, and/or fire department requirements.



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21844

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Arts Building
200 E. 12th St.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

RR

Qt	Description	Unit Cost	Total
1	<p>CONFIDENTIAL DEFICIENCY REPAIRS BID</p> <p>Arturo 619-405-9789 arturog@nationalcityca.gov</p> <p>SCOPE OF WORK: Deficiency Repairs. Drain system. Replace up to (105) corroded and painted sprinkler heads and escutcheons. Replace up to (8) fittings that are leaking and rusted. Replace corroded auxillary drain. Replace up to (2) gauges that are over five years old.</p> <p>This proposal includes all materials, tools, and labor to repair approved deficiencies for the project referenced above. Replacement fire sprinklers will match the existing flow characteristics of the existing sprinklers being removed. This proposal is based upon all listed deficiencies being performed with uninterrupted access 8 hours per day. Stand by time is charged as an add-on to bid at \$95 per hour. All work to be performed during normal working hours (7:00am through 4:00pm)</p> <p>Sprinkler Repair</p> <p>EXCLUSIONS:</p> <ol style="list-style-type: none"> Working in areas with hazardous material, as defined by OSHA. Overtime, off-hours work & working during holidays. Plans, submittals, city fees, permits and inspections. DSA or OSHPD approvals. Draining fire sprinkler system by any other means than open atmosphere. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing. Clearing around inspectors test. Cut & patch (Including, but not limited to walls, tiles, cement, asphalt, concrete, flooring, etc). Landscaping. Painting or Paint Preparation. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. MIC investigation and/or testing. 	5,795.00	5,795.00
<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>		Subtotal	
<p>Info@RedTruckFire.com</p>		Sales Tax (8.75%)	
Phone #		Fax #	
800 973-3878		Total	
		877 443-8080	



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

3/5/2019

21844

COMPANY NAME / ADDRESS

City of National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

Arts Building
200 E. 12th St.
National City, CA 91950

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Qt	Description	Unit Cost	Total
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	<p>Authorization Date: _____</p> <p>Authorizing Signature: _____</p> <p>Authorizing Name: (Print) _____</p>	Subtotal	\$5795.00
	<p>Info@RedTruckFire.com</p> <p>Phone #</p> <p>800 973-3878</p>	<p>www.RedTruckFire.com</p> <p>Fax #</p> <p>877 443-8080</p>	<p>Sales Tax (8.75%)</p> <p>Total</p> <p>\$0.00</p> <p>\$5,795.00</p>

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**SHORT FORM SERVICES AGREEMENT
BY AND BETWEEN
THE CITY OF NATIONAL CITY
AND
RED TRUCK FIRE & SAFETY COMPANY**

THIS AGREEMENT is entered into this 24th day of January, 2019, by and between the CITY OF NATIONAL CITY, a municipal corporation (the "CITY"), and RED TRUCK FIRE & SAFETY COMPANY, a California corporation (the "CONTRACTOR").

NOW, THEREFORE, CITY agrees to engage CONTRACTOR to perform the services set forth herein in accordance with the following terms and conditions:

1. **Description of Services.** CONTRACTOR shall provide City-wide, on-site fire extinguisher system certification, services, maintenance, fire sprinkler certification, and repairs as needed and as directed by the City's Facilities Maintenance Supervisor currently Arturo Gonzalez.

2. **Length of Agreement.** The schedule is set forth below:

The duration of this Agreement is from January 1, 2019 through June 30, 2019. This Agreement may be extended by mutual agreement upon the same terms and conditions for three additional one (1) year terms. Any extension of this Agreement must be approved in writing by the City Manager.

3. **Compensation.** The total compensation to CONTRACTOR for providing the services set forth herein shall not exceed an annual total cost of \$25,000 without prior written authorization from CITY. The compensation for CONTRACTOR'S work shall be based upon and not exceed the rates stated in Exhibit "A" (the labor rates) without prior written authorization from CITY.

4. **Payment Schedule.** CITY will make payment within thirty (30) days of receiving and approving a billing statement for the satisfactorily completed services of CONTRACTOR.

5. **Termination.** This Agreement may be terminated with or without cause by the CITY. Termination without cause shall be effective only upon 30-day's written notice to the CONTRACTOR. During said 30-day period the CONTRACTOR shall perform all services in accordance with this Agreement. In the event of any termination under this Section 5, CONTRACTOR shall receive compensation for any services completed to CITY's satisfaction.

A. This Agreement may also be terminated immediately by the CITY for cause in the event of a material breach of this Agreement, misrepresentation by the CONTRACTOR in connection with the formation of this Agreement or the performance of services, or the failure to perform services as directed by the CITY.

B. Termination with or without cause shall be effected by delivery of written Notice of Termination to the CONTRACTOR as provided for herein.

C. In the event of termination, all finished or unfinished Memoranda Reports, Maps, Drawings, Plans, Specifications and other documents prepared by the CONTRACTOR, whether paper or electronic, shall immediately become the property of and be delivered to the CITY, and the CONTRACTOR shall be entitled to receive just and equitable compensation for any work satisfactorily completed on such documents and other materials up to the effective date of the Notice of Termination, not to exceed the amounts payable hereunder, and less any damages caused the CITY by the CONTRACTOR'S breach, if any. Thereafter, ownership of said written material shall vest in the CITY.

6. D. The CITY further reserves the right to immediately terminate this Agreement upon: (1) the filing of a petition in bankruptcy affecting the CONTRACTOR; (2) a reorganization of the CONTRACTOR for the benefit of creditors; or (3) a business reorganization, change in business name or change in business status of the CONTRACTOR.

7. **Independent Contractor.** It is agreed that CONTRACTOR is an independent Contractor, and all persons working for or under the direction of CONTRACTOR are CONTRACTOR'S agents, servants and employees, and said persons shall not be deemed agents, servants, or employees of CITY.

8. **Insurance.** CONTRACTOR shall obtain:

A. ☐ If checked, Professional Liability Insurance (errors and omissions) with minimum limits of \$1,000,000 per occurrence.

B. Automobile insurance covering all bodily injury and property damage incurred during the performance of this Agreement, with a minimum coverage of \$1,000,000 combined single limit per accident. Such automobile insurance shall include owned, non-owned, and hired vehicles ("any auto"). The policy shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and a separate additional insured endorsement shall be provided.

C. Commercial General Liability Insurance, with minimum limits of \$1,000,000 per occurrence and \$2,000,000 aggregate with a \$2,000,000 umbrella policy, covering all bodily injury and property damage arising out of its operations, work, or performance under this Agreement. The policy shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and a separate additional insured endorsement shall be provided. The general aggregate limit must apply solely to this "project" or "location". The "project" or "location" should be noted with specificity on an endorsement that shall be incorporated into the policy.

D. Workers' compensation insurance in an amount sufficient to meet statutory requirements covering all of CONTRACTOR'S employees and employers' liability insurance with limits of at least \$1,000,000 per accident. In addition, the policy shall be endorsed with a waiver of subrogation in favor of the CITY. Said endorsement shall be provided prior to commencement of work under this Agreement.

E. The aforesaid policies shall constitute primary insurance as to the CITY, its officers, employees, and volunteers, so that any other policies held by the CITY shall not contribute to any loss under said insurance. Said policies shall provide for thirty (30) days prior

written notice to the CITY's Risk Manager, at the address listed in subsection G below, of cancellation or material change.

F. Said policies, except for the professional liability and workers' compensation policies, shall name the CITY and its officers, agents, employees, and volunteers as additional insureds, and separate additional insured endorsements shall be provided

G. The Certificate Holder for all policies of insurance required by this Section shall be:

City of National City
c/o Risk Manager
1243 National City Boulevard
National City, CA 91950-4397

H. If required insurance coverage is provided on a "claims made" rather than "occurrence" form, the CONTRACTOR shall maintain such insurance coverage for three years after expiration of the term (and any extensions) of this Agreement. In addition, the "retro" date must be on or before the date of this Agreement.

I. Insurance shall be written with only insurers authorized to conduct business in California which hold a current policy holder's alphabetic and financial size category rating of not less than A.VII according to the current Best's Key Rating Guide, or a company of equal financial stability that is approved by the City's Risk Manager. In the event coverage is provided by non-admitted "surplus lines" carriers, they must be included on the most recent List of Approved Surplus Line Insurers ("LASLI") and otherwise meet rating requirements.

J. This Agreement shall not take effect until certificate(s) or other sufficient proof that these insurance provisions have been complied with, are filed with, and approved by the CITY's Risk Manager. If the CONTRACTOR does not keep all of such insurance policies in full force and effect at all times during the terms of this Agreement, the CITY may elect to treat the failure to maintain the requisite insurance as a breach of this Agreement and terminate the Agreement as provided herein.

K. All deductibles and self-insured retentions in excess of \$10,000 must be disclosed to and approved by the CITY. CITY reserves the right to modify the insurance requirements of this Section 7, including limits, based on the nature of the risk, prior experience, insurer, coverage, or other special circumstances.

L. If the CONTRACTOR maintains broader coverage or higher limits (or both) than the minimum limits shown above, the CITY requires and shall be entitled to the broader coverage or higher limits (or both) maintained by the CONTRACTOR. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the CITY.

9. **Indemnification and Hold Harmless.** The CONTRACTOR agrees to defend, indemnify and hold harmless the City of National City, its officers, officials, agents, employees, and volunteers against and from any and all liability, loss, damages to property, injuries to, or death of any person or persons specific to the CONTRACTOR'S scope of operations, and all claims, demands, suits, actions, proceedings, reasonable attorneys' fees, and defense costs, of any kind or nature, including workers' compensation claims, of or by anyone whomsoever, resulting from or arising out of the CONTRACTOR'S performance or other obligations under

this Agreement; provided, however, that this indemnification and hold harmless shall not include any claims or liability arising from the established sole negligence or willful misconduct of the CITY, its agents, officers employees, or volunteers. CITY will cooperate reasonably in the defense of any action, and CONTRACTOR shall employ competent counsel, reasonably acceptable to the City Attorney.

The indemnity, defense, and hold harmless obligations contained herein shall survive the termination of this Agreement for any alleged or actual omission, act, or negligence under this Agreement that occurred during the term of this Agreement.

10. **Acceptability of Work.** The CITY shall, with reasonable diligence, determine the quality or acceptability of the work, the manner of performance, and/or the compensation payable to the CONTRACTOR. Compensation set forth in Exhibit "A" should not be unreasonably withheld by CITY.

11. **Business License.** CONTRACTOR must possess or shall obtain business license from National City Finance Department before beginning work.

12. **Miscellaneous Provisions.**

A. *Counterparts.* This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which, together, shall constitute but one and the same instrument.

B. *Captions.* Any captions to, or headings of, the sections or subsections of this Agreement are solely for the convenience of the parties hereto, are not a part of this Agreement, and shall not be used for the interpretation or determination of the validity of this Agreement or any provision hereof.

C. *No Obligations to Third Parties.* Except as otherwise expressly provided herein, the execution and delivery of this Agreement shall not be deemed to confer any rights upon, or obligate any of the parties hereto, to any person or entity other than the parties hereto.

D. *Exhibits and Schedules.* The Exhibits and Schedules attached hereto are hereby incorporated herein by this reference for all purposes. To the extent any exhibits, schedules, or provisions thereof conflict or are inconsistent with the terms and conditions contained in this Agreement, the terms and conditions of this Agreement will control.

E. *Amendment to this Agreement.* The terms of this Agreement may not be modified or amended except by an instrument in writing executed by each of the parties hereto.

F. *Waiver.* The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of any such provision or any other provision hereof.

G. *Applicable Law.* This Agreement shall be governed by and construed in accordance with the laws of the State of California. The venue for any legal action arising out of this Agreement shall be in either state or federal court in the County of San Diego, State of California. The CONTRACTOR shall comply with all laws, including federal, state, and local laws, whether now in force or subsequently enacted.

H. *Entire Agreement.* This Agreement supersedes any prior agreements, negotiations and communications, oral or written, and contains the entire agreement between the parties as to the subject matter hereof. No subsequent agreement, representation, or promise made by either party hereto, or by or to an employee, officer, agent, or representative of any

party hereto shall be of any effect unless it is in writing and executed by the party to be bound thereby.

I. *Successors and Assigns.* This Agreement shall be binding upon and shall inure to the benefit of the successors and assigns of the parties hereto.


J. *Subcontractors or Subconsultants.* The CITY is engaging the services of the CONTRACTOR identified in this Agreement. The CONTRACTOR shall not subcontract any portion of the work, unless such subcontracting was part of the original proposal or is allowed by the CITY. In the event any portion of the work under this Agreement is subcontracted, the subcontractor(s) shall be required to comply with and agree to, for the benefit of and in favor of the CITY, both the insurance provisions in Section 8 and the indemnification and hold harmless provision of Section 9 of this Agreement.

K. *Construction.* The parties acknowledge and agree that (i) each party is of equal bargaining strength, (ii) each party has actively participated in the drafting, preparation and negotiation of this Agreement, (iii) each such party has consulted with or has had the opportunity to consult with its own, independent counsel and such other professional advisors as such party has deemed appropriate, relative to any and all matters contemplated under this Agreement, (iv) any rule or construction to the effect that ambiguities are to be resolved against the drafting party shall not apply in the interpretation of this Agreement, or any portions hereof, or any amendments hereto.

[END OF AGREEMENT – SIGNATURES APPEAR ON NEXT PAGE]

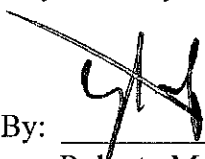
IN WITNESS WHEREOF, this Agreement is executed by CITY and by CONTRACTOR on the date and year first above written.

CITY OF NATIONAL CITY

By: 
Leslie Deese, City Manager

APPROVED AS TO FORM:

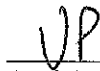
Angil P. Morris Jones
City Attorney

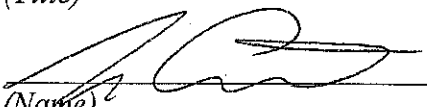
By: 
Roberto M. Contreras
Deputy City Attorney

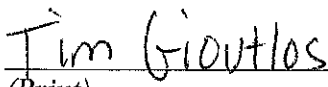
**RED TRUCK FIRE & SAFETY
COMPANY, A CALIFORNIA
CORPORATION**

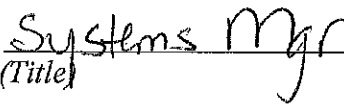
By: _____
(Name)


(Print)


(Title)

By: 
(Name)


(Print)


(Title)

CONTACT INFORMATION

CITY OF NATIONAL CITY
1243 National City Boulevard
National City, CA 91950-4397

Phone: (619) 336-4585
Fax: (619) 336-4397
Contact: Arturo Gonzalez
Title: Facilities Maintenance Supervisor
Dep.: Engineering & Public Works
Email: arturog@nationalcityca.gov

Red Truck Fire & Safety Co.
4337 Sheridan Lane
San Diego, CA 92111

Phone: 800-973-3878
Fax: 877-443-8080
Contact: Tim Gioutlos
Title: Field Services Manager
Email: TimG@RedTruckFire.com
Taxpayer I.D. No.: 202497294

EXHIBIT A



Red Truck Fire & Safety Co.

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

10/25/2018

20870

COMPANY NAME / ADDRESS

National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

National City
Arturo Gonzalez
1243 National City Blvd.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

LC

Qt	Description	Unit Cost	Total
	FIRE SPRINKLER, FIRE SYSTEM & FIRE EXTINGUISHER PREVAILING WAGE RATES Fire Sprinkler & Fire System Labor hourly rate - \$169.00 Fire Extinguisher Labor hourly rate - \$109.00 Truck Service Call per Visit - \$49.00 EXCLUSIONS: 1. Working in areas with hazardous material, as defined by OSHA. 2. Rates baed on Red Truck Fire & Safety Company's current insurance 3. Overtime, off-hours work & working during holidays. 4. Plans, submittals, city fees, permits and inspections. 5. Overtime billed at 1.5 times (from 8 hours up to 12 hours of labor) 6. Service visit minimum of three hours. 7. Draining fire sprinkler system by any other means than open atmosphere. 8. Any work associated with moving or protection of furniture, product, equipment, supplies, etc. Moving of product/storage to maintain 18" clearing. 9. Clearing around inspectors test. Cut & patch. Landscaping. Painting or Paint Preparation. 10. Fire watch. Man Lift. Stand by time. City shut-down. Hydraulic calculations. 11. Work not noted on quote. Product Warranties. Additional repairs and items discovered during work and are not included in this bid. Red Truck fire & Safety Co. will not assume any responsibility for the integrity of the existing Fire Sprinkler system. Components may fail as a result of testing or repairs. (Page 1 of 2)		0.00 0.00
Authorizing Name: (Print) _____		Subtotal	
Info@RedTruckFire.com		www.RedTruckFire.com	Sales Tax (7.75%)
Phone #		Fax #	
800 973-3878		877 443-8080	Total

**Red Truck Fire & Safety Co.**

Ph: 800-973-3878

Fax: 877-443-8080

ESTIMATE

Date

Proposal #

10/25/2018

20870

COMPANY NAME / ADDRESS

National City
Arturo Gonzalez
1243 National City Blvd.
National City Ca 91950

Ship To

National City
Arturo Gonzalez
1243 National City Blvd.
National City, CA 91950

Customer Phone

Customer Fax

Rep

Project

619-405-9789

LC

Qt	Description	Unit Cost	Total
	<p>13. Fire Sprinkler System Design & Layout Inspection/Evaluation/Reports on current system, sprinkler heads, pipes, brackets, braces, valves, FDC, and all other fire sprinkler system components.</p> <p>14. Report, Evaluation, Inspection on whether your current Fire Sprinkler System has adequate fire protection coverage for the premises and meets current fire sprinkler system standards and codes.</p> <p>Please notify Red Truck Fire & Safety Co. technician(s) on date of repair and prior to their departure if fire sprinkler system water has not been restored to system or if water valve(s) have NOT been left in "OPEN" position. Customer to make sure fire protection systems are placed "online" with an alarm monitoring company. Payment is due at completion of repairs. (We accept Visa/MC)</p> <p>(Page 2 of 2)</p>		
Authorization Date: _____			
Authorizing Signature: _____			
Authorizing Name: (Print) _____			
Info@RedTruckFire.com		www.RedTruckFire.com	
Phone #		Fax #	
800 973-3878		877 443-8080	
Subtotal			\$0.00
Sales Tax (7.75%)			\$0.00
Total			\$0.00

Confidential proposal expires in 30 days. Unless specified, replacement for damaged and/or missing parts/components are charged separately. Recharge & Hydrotest Services are not included in "Annual Maintenance" service. Fire Extinguisher proposals apply to ABC Dry Chem Hand Portables, unless specified. By submitting signed proposal, the authorized Customer representative is agreeing to the Red Truck Fire & Safety Terms & Conditions on behalf of Customer. (Please view Terms & Conditions at RedTruckInc.com) Please notify us regarding any special

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
APPROVING AN AMENDMENT TO THE CURRENT SERVICE AGREEMENT WITH
RED TRUCK FIRE & SAFETY COMPANY FOR AN ADDITIONAL AMOUNT OF
\$35,000 FOR FIRE SPRINKLER SYSTEM REPAIR IN CITY-OWNED FACILITIES,
AND AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT TO THE
SERVICE AGREEMENT FOR A TOTAL NOT TO EXCEED AMOUNT OF \$60,000

WHEREAS, on January 24, 2019, the City of National City entered into a Service Agreement with Red Truck Fire & Safety Company in an annual not to exceed amount of \$25,000 for fire extinguisher system certification, service, maintenance fire sprinkler certification, and repairs; and

WHEREAS, after assessing the existing fire sprinkler systems in City-owned facilities, Red Truck Fire & Safety provided the City a comprehensive list of necessary repairs estimated at \$35,000; and

WHEREAS, staff recommends amending the Agreement with Red Truck Fire & Safety Company in the amount of \$35,000 for fire sprinkler repair in city-owned facilities to allow them to make the necessary repairs for a total not to exceed amount of \$60,000.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City does hereby authorizes the Mayor to execute a First Amendment to the Agreement with Red Truck Fire & Safety Company and to increase the not to exceed amount by \$35,000, for a total not to exceed amount of \$60,000. Said First Amendment is on file in the office of the City Clerk.

PASSED and ADOPTED this 19th day of March, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil Morris-Jones
City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City approving an application for grant funds in the amount of \\$914,300 for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project through the California River Parkways Grant Program, administered by the California Natural Resources Agency; and authorizing the City Manager or designee to execute the grant agreement if selected for funding. \(Engineering/Public Works\)](#)
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Resolution of the City Council of the City of National City approving an application for grant funds in the amount of \$914,300 for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project through the California River Parkways Grant Program, administered by the California Natural Resources Agency; and authorizing the City Manager or designee to execute the grant agreement if selected for funding.

PREPARED BY: Stephen Manganiello, Director of Eng/PW
PHONE: 619-336-4382

DEPARTMENT: Engineering and Public Works
APPROVED BY: 


EXPLANATION:

See attached explanation.

FINANCIAL STATEMENT:

ACCOUNT NO.

If grant funds are awarded, staff will return to City Council to accept the grant and appropriate funds.
No local match required; \$5,000 of "in-kind" staff support is proposed to administer the grant.

APPROVED:  **FINANCE**
APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: INTRODUCTION ☐ FINAL ADOPTION ☐

STAFF RECOMMENDATION:

Adopt Resolution approving an application for grant funds in the amount of \$914,300 for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project through the California River Parkways Grant Program; and authorizing the City Manager or designee to execute the grant agreement if selected for funding.

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

1. Explanation w/ attachments
2. Resolution

Explanation

Staff is requesting City Council approval of an application for grant funds in the amount of \$914,300 for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project through the California River Parkways Grant Program, administered by the California Natural Resources Agency. If awarded, the grant funds will be used acquire the welding shop located at 140 W. 18th Street. See attached Willing Seller letter from the property owner and cost estimate for property acquisition and relocation costs.

Phase II of the project would include demolition of the welding shop, site remediation and site preparation to expand natural vegetation along Paradise Creek, construct drainage features to mitigate flooding, and provide pedestrian and bicycle pathways through the site for access to Paradise Creek Educational Park. If funding is awarded for property acquisition, staff will seek other grant opportunities to fund the site improvements.

The grant requires City Council Resolution approving the grant application and authorizing the City Manager or designee to execute the grant agreement if selected for funding. If grant funds are awarded, staff will return to City Council to accept the grant and establish appropriation of revenues and expenditures. No local match is required; \$5,000 of "in-kind" staff support is proposed to administer the grant.

Print Application

RFP Title:	California River Parkways Grant Program 2018		
Project Title:	Paradise Creek Pedestrian And Bicycle Pathway Phase 1	Estimated Date of Completion:	06/30/2020
		Funds Requested(\$):	914,300.00
		Other Sources of Funds(\$):	5,000.00
		Total Budget(\$):	919,300.00
Applicant Organization:	City of National City	County:	San Diego
		City/Town:	National City
Applicant Address:	1243 National City Blvd , National City , CA - 91950	Project Address:	140 18th St
Federal Tax ID:	95600074	Senate District	40
		Assembly District	80
		US Congressional District	51

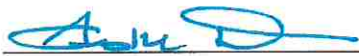
Project Description:

The project includes acquiring an existing welding shop that borders Paradise Creek and is subject to chronic flooding. In a future, separate project the City will convert this property and adjacent areas to natural vegetation along the creek. A pedestrian and bicycle use trail will run through the natural area to connect it to adjacent parks along Paradise Creek and other key community features, such as an elementary school, mass transit stations and stops, and the City library.

Latitude: 32.666570000
Longitude: -117.105140000

Coordinates Represent: property location
Coordinates Determined Using: Google Maps

I certify that the information contained in this project application, including required attachments, is complete and accurate

Signed:**Date:**

3/11/19

Applicant's Authorized Representative as shown in Resolution

Print Name:

Leslie Deese

Title:

City Manager

Application Overview**RFP Title:** California River Parkways Grant Program 2018**Submitting Organization:** City of National City**Submitting Organization:****Submitting Organization:** Engineering & Public Works Department**Submitting Organization:****Division:****Project Title:** Paradise Creek Pedestrian And Bicycle Pathway Phase 1

Project Description: The project includes acquiring an existing welding shop that borders Paradise Creek and is subject to chronic flooding. In a future, separate project the City will convert this property and adjacent areas to natural vegetation along the creek. A pedestrian and bicycle use trail will run through the natural area to connect it to adjacent parks along Paradise Creek and other key community features, such as an elementary school, mass transit stations and stops, and the City library.

APPLICANT DETAILS**Applicant Organization:** City of National City**Applicant Organization:****Applicant Organization:** Engineering & Public Works Department**Applicant Organization:****Division:****Applicant Address:** 1243 National City Blvd , National City , CA - 91950**PROJECT LOCATION****Latitude :** 32.666570000**Longitude:** -117.105140000**County:** San Diego**Estimated Date of Completion:** 06/30/2020**Completion:**

Project Address (or nearest cross street): 140 18th St

Nearest City/Town: National City**Coordinates** property location**Represent:****Coordinates** Google Maps**Determined Using:****PROJECT BUDGET****Funds Requested(\$):** 914,300.00**Other Sources of Funds(\$):** 5,000.00**Funds(\$):****Total Budget(\$):** 919,300.00**Funding Program**

Proposition 68

Applied

Yes

Applicant Information**Name:** City of National City**Division:** Engineering & Public Works Department**Address:** 1243 National City Blvd National City, CA ,
91950**Federal Tax ID:** 95600074**Person Submitting Information****Submitter Name:** Brianna Martin**Submitter Phone:** 858-586-6600**Submitter Phone:****Submitter Fax:****Submitter Fax:****Submitter Email:** bmartin@dmmaxinc.com**Submitter Email:**

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APPENDIX F - LAND ACQUISITION FORM

(Complete one form for each escrow)

Project Title: Paradise Creek Pedestrian and Bicycle Pathway Phase I				
Assessor's Parcel Number(s): 560-202-01	Acreage	Fee Title or Easement	Willing Seller Name and Address	
	0.26	Fee Title	Phomsavanh Sayheune 4742 Appleton St San Diego, CA 92117	
ACQUISITION COST ESTIMATE				
	Total Costs	RP	Other Sources of Funds (specify by name)	
			City of National City	
Estimated Fair Market Value of property	\$740,000	\$740,000		
Relocation Costs	\$100,000	\$100,000		
Preliminary Title Reports, Appraisal	\$0	\$0		
Escrow Fees, Title Insurance, Closing Costs	\$15,000	\$15,000		
Surveying (limited to boundary line adjustment)	\$5,000	\$5,000		
Direct costs (staff and consultants) – limited to \$10,000 per grant	\$5,000	\$0	\$5,000	
State approval costs of appraisal, transaction review etc.	\$10,000	\$10,000		
Contingency (Not to exceed 10% of total grant)	\$44,000	\$44,000		
Required signage	\$300	\$300		
Other (Specify)	\$0	\$0		
Grand Total	\$919,300	\$914,300	\$5,000	

Acquisition Schedule	Timeframe	Comments
Complete Appraisal	Already completed	
Submit appraisal and title report for State review	Within 3 months of grant execution	
Submit instruments of conveyance, etc.	Within 2 months of State approval of appraisal and title report	
Close of escrow (submit all final closing documents specified in the grant agreement)	Within 2 months of State approval of instruments of conveyance	
Install Bond Acknowledgement Sign	Within 2 months of close of escrow	
Close-out	Within 3 months of close of escrow	

Date: February 27, 2019

To: California River Parkways Grant Program
c/o California Natural Resources Agency

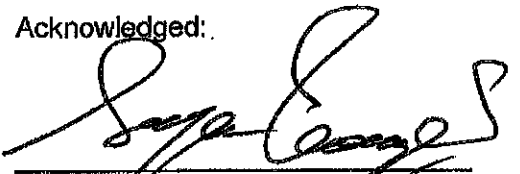
From: Sayheune Phomsavanh
4742 Appleton Street
San Diego, CA 92117

Re: Parcel number(s): 560-202-01-00
County: San Diego
Property Address: 140 W. 18th Street
National City, CA 91950

To Whom It May Concern:

This letter is provided to confirm that, Sayheune Phomsavanh, owner of the above referenced property, is a willing participant in the proposed real property transaction. Should grant funds be awarded to the grant applicant for the Paradise Creek Pedestrian and Bicycle Pathway Phase I project, then Sayheune Phomsavanh, as Seller, is willing to enter into negotiations for the sale of the real property for a purchase price not to exceed fair market value.

Acknowledged:


Signature of land owner(s) (trustee, etc.)
Sayheune Phomsavanh

3/7/2019
Date signed

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
APPROVING THE APPLICATION FOR GRANT FUNDS FOR
CALIFORNIA RIVER PARKWAYS GRANT PROGRAM

WHEREAS, the Legislature and Governor of the State of California have provided funds for the California River Parkways Grant Program; and

WHEREAS, the California Natural Resources Agency has been delegated the responsibility for the administration of this grant program, establishing necessary procedures; and

WHEREAS, said procedures established by the California Natural Resources Agency require a resolution certifying the approval of the application by the City Council of the City of National City (the “City Council”) before submission of said application to the State; and

WHEREAS, the City of National City (the “City”), if selected, will enter into an agreement with the State of California to carry out the Project.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the filing of an application for grant funds for the Paradise Creek Pedestrian and Bicycle Pathway Phase I Project (the “Project”).

BE IT FURTHER RESOLED that the City Council hereby:

1. Certifies that the City understands the assurances and certification in the application; and
2. Certifies that the City or title holder will have sufficient funds to operate and maintain the Project consistent with the land tenure requirements; or will secure the resources to do so; and
3. Certifies that the City will comply with all provisions of Section 1771.5 of the California Labor Code; and
4. If applicable, certifies that the Project will comply with any laws and regulations including, but not limited to, the *California Environmental Quality Act* (CEQA), legal requirements for building codes, health and safety codes, disabled access laws, and, that prior to commencement of construction, all applicable permits will have been obtained; and
5. Certifies that the City will work towards the State Planning Priorities intended to promote equity, strengthen the economy, protect the environment, and promote public health and safety as included in Government Code Section 65041.1; and

///

///

///

6. Appoints the City Manager or designee as agent to conduct all negotiations, execute, and submit all documents, including, but not limited to, applications, grant agreements if selected for funding, payment requests, and any other documents or acts that may be necessary for the completion of the aforementioned Project.

PASSED and ADOPTED this 19th day of March, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil P. Morris-Jones
City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with financial institutions on behalf of the City of National City. \(Finance\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with financial institutions on behalf of the City of National City. (Finance)

PREPARED BY: Karim Galeana

PHONE: 619-336-4331

DEPARTMENT: Finance

APPROVED BY: 

EXPLANATION:

The City Council of the City of National City is responsible for designating those City officials authorized to approve transactions with financial institutions on behalf of the City. Staff requests the list of authorized persons be updated.

The proposed resolution would designate the City Manager, including Acting City Manager; Director of Finance; and Finance Manager as the City's representatives authorized to perform these transactions.

FINANCIAL STATEMENT:

ACCOUNT NO.

There is no financial impact associated with this item.

APPROVED: 

Finance

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt the resolution, designating the persons authorized to order the deposit and withdrawal of City monies with financial institutions.

BOARD / COMMISSION RECOMMENDATION:

NA

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
DESIGNATING THE OFFICIALS AUTHORIZED TO ORDER THE DEPOSIT AND
WITHDRAWAL OF CITY MONIES WITH FINANCIAL INSTITUTIONS ON BEHALF OF
THE CITY OF NATIONAL CITY

WHEREAS, the City Council of the City of National City is responsible for designating City officials authorized to approve transactions with financial institutions on behalf of the City; and

WHEREAS, staff requests the list of authorized persons be updated to designate the City Manager, Acting City Manager, Director of Finance, and Finance Manager as the City's representatives authorized to perform these transactions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the City Manager, Acting City Manager, Director of Finance, and Finance Manager as the City's representatives authorized to order the deposit and withdrawal of City monies with financial institutions.

PASSED and ADOPTED this 19th day of March, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil Morris-Jones
City Attorney

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with the Local Agency Investment Fund on behalf of the City of National City. \(Finance\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City designating the officials authorized to order the deposit and withdrawal of City monies with the Local Agency Investment Fund on behalf of the City of National City. (Finance)

PREPARED BY: Karim Galeana

DEPARTMENT: Finance

PHONE: 619-336-4331

APPROVED BY: 

EXPLANATION:

The City Council of the City of National City is responsible for designating those City officials authorized to approve transactions with the Local Agency Investment Fund (LAIF) on behalf of the City. Staff requests the list of authorized persons be updated.

The proposed resolution would designate the City Manager, including Acting City Manager; Director of Finance; and Finance Manager as the City's representatives authorized to perform these transactions.

FINANCIAL STATEMENT:

APPROVED: 

Finance

ACCOUNT NO.

APPROVED: _____

MIS

There is no financial impact associated with this item.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt the resolution, designating the persons authorized to order the deposit and withdrawal of City monies with the Local Agency Investment Fund.

BOARD / COMMISSION RECOMMENDATION:

NA

ATTACHMENTS:

Resolution

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
DESIGNATING THE OFFICIALS AUTHORIZED TO ORDER THE DEPOSIT AND
WITHDRAWAL OF CITY MONIES WITH THE LOCAL AGENCY INVESTMENT FUND
ON BEHALF OF THE CITY OF NATIONAL CITY

WHEREAS, the City Council of the City of National City is responsible for designating those City officials authorized to approve transactions with the Local Agency Investment Fund (LAIF) on behalf of the City; and

WHEREAS, staff requests the list of authorized persons be updated to designate the City Manager, Acting City Manager, Director of Finance, and Finance Manager as the City's representatives authorized to perform these transactions.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City hereby authorizes the City Manager, Acting City Manager, Director of Finance, and Finance Manager as the City's representatives authorized to order the deposit and withdrawal of City monies with the Local Agency Investment Fund.

PASSED and ADOPTED this 19th day of March, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil Morris-Jones
City Attorney

The following page(s) contain the backup material for Agenda Item: [Temporary Use Permit - The 11th Annual GranFondo San Diego Fun Bike Ride sponsored by Life Sports Foundation on April 7, 2019 from 7:15 a.m. to 5:00 p.m. with no waiver of fees. \(Neighborhood Services\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO. |

ITEM TITLE:

Temporary Use Permit – The 11th Annual GranFondo San Diego Fun Bike Ride sponsored by Life Sports Foundation on April 7, 2019 from 7:15 a.m. to 5 p.m. with no waiver of fees.

PREPARED BY: Dionisia Trejo |

DEPARTMENT: Neighborhood Services Department

PHONE: (619) 336-4255 |

APPROVED BY: 

EXPLANATION:

This is a request from Life Sports Foundation to conduct the 11th Annual GranFondo San Diego Fun Bike Ride through San Diego County on April 7, 2019 from 7:15 a.m. to 5 p.m. The event starts in Little Italy, downtown San Diego and finishes at Ruocco Park. 1,200 participants are expected for this event. Three routes will be offered a 34 mile short course, 56 mile intermediate and 105 mile long course.

OUTBOUND - The course begins in Downtown San Diego under the Little Italy sign and proceeds around to Pacific Hwy and then south to Harbor Drive on which it stays until it exits San Diego. It enters National City at west 8th Street, turning right onto Roosevelt Avenue and it turns left onto west Plaza Boulevard. The ride continues east on Plaza Boulevard until reaching Paradise Valley Road leaving National City jurisdiction.

Riders will follow the rules of the road.

Note: This event has been approved by City Council for prior years with no waiver of fees. |

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO. |

APPROVED: _____ **MIS**

City fee of \$272.00 for processing the TUP through various City departments, plus \$318.40 for Police Department.

Total fees: \$590.40 |

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802. |

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Application for a Temporary Use Permit with recommended conditions of approval. |



City of National City ■ Neighborhood Services Department
1243 National City Boulevard ■ National City, CA 91950
(619) 336-4364 ■ fax (619) 336-4217
www.nationalcityca.gov

Special Event Application

Type of Event

- ☐ Fair/Festival ☐ Parade/March ☐ Walk or Run ☐ Concert/Performance
☐ TUP ☒ Sporting Event ☐ Other (specify) _____

Event Name & Location

Event Title 11th annual Granfondo San Diego fun bike ride

Event Location (list all sites being requested) See attached

Event Times

Set-Up Starts
Date 4/7/19 Time 6:00 am Day of Week Sunday

Event Starts
Date 4/7/19 Time 7:15 am Day of Week Sunday

Event Ends
Date 4/7/19 Time 5:00 PM Day of Week Sunday

Breakdown Ends
Date 4/7/19 Time 6:00 PM Day of Week Sunday



Applicant Information

Applicant (Your name) Tobias Panek Sponsoring Organization Life Sports Foundation

Event Coordinator (if different from applicant) _____

Mailing Address 9939 Hibert St #105, San Diego CA 92131

Day Phone 858268-1250 After Hours Phone _____ Cell _____ Fax _____

Public Information Phone same E-mail tobias@gftours.com

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: Tobias Panek Date 2/26/2019

Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us.

Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes ☐ No ☒

Are admission, entry, vendor or participant fees required? Yes ☒ No ☐

If YES, please explain the purpose and provide amount (s):

All proceeds go to the non profit charity Life Sports Foundation

\$ \$120K Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ \$100K Estimated Expenses for this event.

\$ \$20K What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

Description of Event

☐ First time event ☒ Returning Event ☐ Include site map with application

Note that this description may be published in our City Public Special Events Calendar:

Fun bike ride through National City

Estimated Attendance

Anticipated # of Participants: 1200 Anticipated # of Spectators: 0

Traffic Control, Security, First Aid and Accessibility

Requesting to close street(s) to vehicular traffic? Yes ☒ No ☐

List any streets requiring closure as a result of the event (provide map): Harbor dr & 8th st
will need 1 officer and light on flash from 7 am to 8 am.

Date and time of street closure: _____ Date and time of street reopening: _____

☐ Other (explain) _____

Requesting to post "no parking" notices? Yes ☐ No ☒

☐ Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map):

☐ Other (explain) _____

Security and Crowd Control

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: N/A

Have you hired Professional Security to handle security arrangements for this event?

Yes ☐ No ☒ If YES, name and address of Security Organization _____

Security Director (Name): _____ Phone: _____

If using the services of a professional security firm AND the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the City's Risk Manager for review and approval prior to the event.

Is this a night event? Yes ☐ No ☒ If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: _____

First Aid

Depending on the number of participants, your event may require specific First Aid services.

First aid station to be staffed by event staff? Yes ☒ No ☐ First aid/CPR certified? Yes ☒ No ☐

☐ First aid station to be staffed by professional company. ► Company _____ Will be provided by event

Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

Elements of your Event

Setting up a stage? Yes ☐ No ☒

☐ Requesting City's PA system

☐ Requesting City Stage; if yes, which size? ☐ Dimensions (13x28) ☐ Dimensions (20x28)

☐ Applicant providing own stage ► _____ (Dimensions)

Setting up canopies or tents?

_____ # of canopies size _____

_____ # of tents size _____

☐ No canopies/tents being set up

Setting up tables and chairs?

☐ Furnished by Applicant or Contractor

_____ # of tables ☒ No tables being set up

_____ # of chairs ☒ No chairs being set up

☐ (For City Use Only) Sponsored Events – Does not apply to co-sponsored events

_____ # of tables ☐ No tables being set up

_____ # of chairs ☐ No chairs being set up

Contractor Name _____

Contractor Contact Information _____
Address City/State Phone Number

Setting up other equipment?

☐ Sporting Equipment (explain) _____

☐ Other (explain) _____

☐ Not setting up any equipment listed above at event

Having amplified sound and/or music? Yes ☐ No ☒

☐ PA System for announcements ☐ CD player or DJ music

☐ Live Music ▶ ☐ Small 4-5 piece live band ▶ ☐ Large 6+ piece live band

☐ Other (explain) _____

If using live music or a DJ. ▶ Contractor Name _____

▶ _____
Address City/State Phone Number

Using lighting equipment at your event? Yes ☐ No ☒

☐ Bringing in own lighting equipment

☐ Using professional lighting company ▶ Company Name _____

Address City/State Phone Number

Using electrical power? Yes ☐ No ☒

☐ Using on-site electricity ☐ For sound and/or lighting ☐ For food and/or refrigeration

☐ Bringing in generator(s) ☐ For sound and/or lighting ☐ For food and/or refrigeration

Vendor Information

PLEASE NOTE: You may be required to apply for a temporary health permit if food or beverages are sold or given away during your special event. Also see 'Permits and Compliance' on page 8 in the Special Event Guide. For additional information on obtaining a temporary health permit, please contact the County of San Diego Environmental Health at (619) 338-2363.

Having food and non-alcoholic beverages at your event? Yes ☐ No ☒

☐ Vendors preparing food on-site ▶ # _____ ▶ Business License # _____

If yes, please describe how food will be served and/or prepared: _____

If you intend to cook food in the event area please specify the method:

☐ GAS ☐ ELECTRIC ☐ CHARCOAL ☐ OTHER (Specify): _____

☐ Vendors bringing pre-packaged food ▶ # _____ ▶ Business License # _____

☐ Vendors bringing bottled, non-alcoholic beverages (i.e., bottled water, can soda, etc.) ▶ # _____

☐ Vendors selling food # _____ ▶ Business License #(s) _____

☐ Vendors selling merchandise # _____ ▶ Business License #(s) _____

- ☐ Food/beverages to be handled by organization; no outside vendors
- ☐ Vendors selling services # _____ ▶ Business License #(s) _____
- ▶ Explain services _____
- ☐ Vendors passing out information only (no business license needed) # _____
- ▶ Explain type(s) of information _____
- ☐ No selling or informational vendors at event

Having children activities? Yes ☐ No ☒

PLEASE NOTE: In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. There is a \$25 fee to process the permit application. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

- ☐ Inflatable bouncer house # _____ ☐ Rock climbing wall Height _____
- ☐ Inflatable bouncer slide # _____ ☐ Arts & crafts (i.e., craft making, face painting, etc.)
- ☐ Other _____

Having fireworks or aerial display? Yes ☐ No ☒

- ☐ Vendor name and license # _____
- Dimensions _____ Duration _____
- Number of shells _____ Max. size _____

PLEASE NOTE: In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/ \$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$502.00.

Arranging for media coverage? Yes ☐ No ☒

- ☐ Yes, but media will not require special set-up
- ☐ Yes, media will require special set-up. Describe _____

Event Signage

PLEASE NOTE: For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City's specifications. Please refer to the City's Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? Yes ☐ No ☒

☐ Yes, we will post signage # _____ Dimensions _____

☐ Yes, having inflatable signage # _____ ► (complete Inflatable Signage Request form)

☐ Yes, we will have banners # _____

☐ What will signs/banners say? _____

☐ How will signs/banners be anchored or mounted? _____

Waste Management

PLEASE NOTE: One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? Yes ☒ No ☐

If yes, please identify the following:

► Total number of portable toilets: _____

► Total number of ADA accessible portable toilets: _____

☒ Contracting with portable toilet vendor. ► _____

► Load-in Day & Time _____ Company _____ Phone _____
► Load-out Day & Time _____

☐ Portable toilets to be serviced. ► Time _____

Set-up, Breakdown, Clean-up

Setting up the day before the event?

☐ Yes, will set up the day before the event. ► # of set-up day(s) _____

☒ No, set-up will occur on the event day

Requesting vehicle access onto the turf?

☐ Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)

☒ No, vehicles will load/unload from nearby street or parking lot.

NPDES-Litter Fence

- ☐ City to install litter fence
- ☐ Applicant to install litter fence
- ☒ N/A

Breaking down set-up the day after the event?

- ☐ Yes, breakdown will be the day after the event. ► # of breakdown day(s) _____
- ☒ No, breakdown will occur on the event day.

How are you handling clean-up?

- ☐ Using City crews
- ☒ Using volunteer clean-up crew during and after event.
- ☐ Using professional cleaning company during and after event.

Miscellaneous

Please list anything important about your event not already asked on this application:

**Please make a copy of this application for your records.
We do not provide copies.**



Special Events

Pre-Event Storm Water Compliance Checklist

I. Special Event Information

Name of Special Event: <u>GranFondo San Diego</u>	
Event Address: <u>www.sdgranfondo.com</u>	Expected # of Attendees: <u>1200</u>
Event Host/Coordinator: <u>Tobias Panek</u>	Phone Number: <u>858-268-1250</u>

II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: <u>N/A</u>	N/A		N/A
Will enough recycling bins provided for the event? Provide number of recycle bins: <u>N/A</u>	N/A	N/A	N/A
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)	N/A	N/A	N/A
Do all storm drains have screens to temporarily protect trash and debris from entering?	N/A	N/A	N/A
Are spill cleanup kits readily available at designated spots?	N/A	N/A	N/A

* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.

City of National City

PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

Organization: Life Sports Foundation

Person in Charge of Activity: Tobias Panek

Address: 9939 Hibert St #105, San Diego CA 92131

Telephone: 858-268-1250 Date(s) of Use: 4/7/19

HOLD HARMLESS AGREEMENT

As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorneys fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

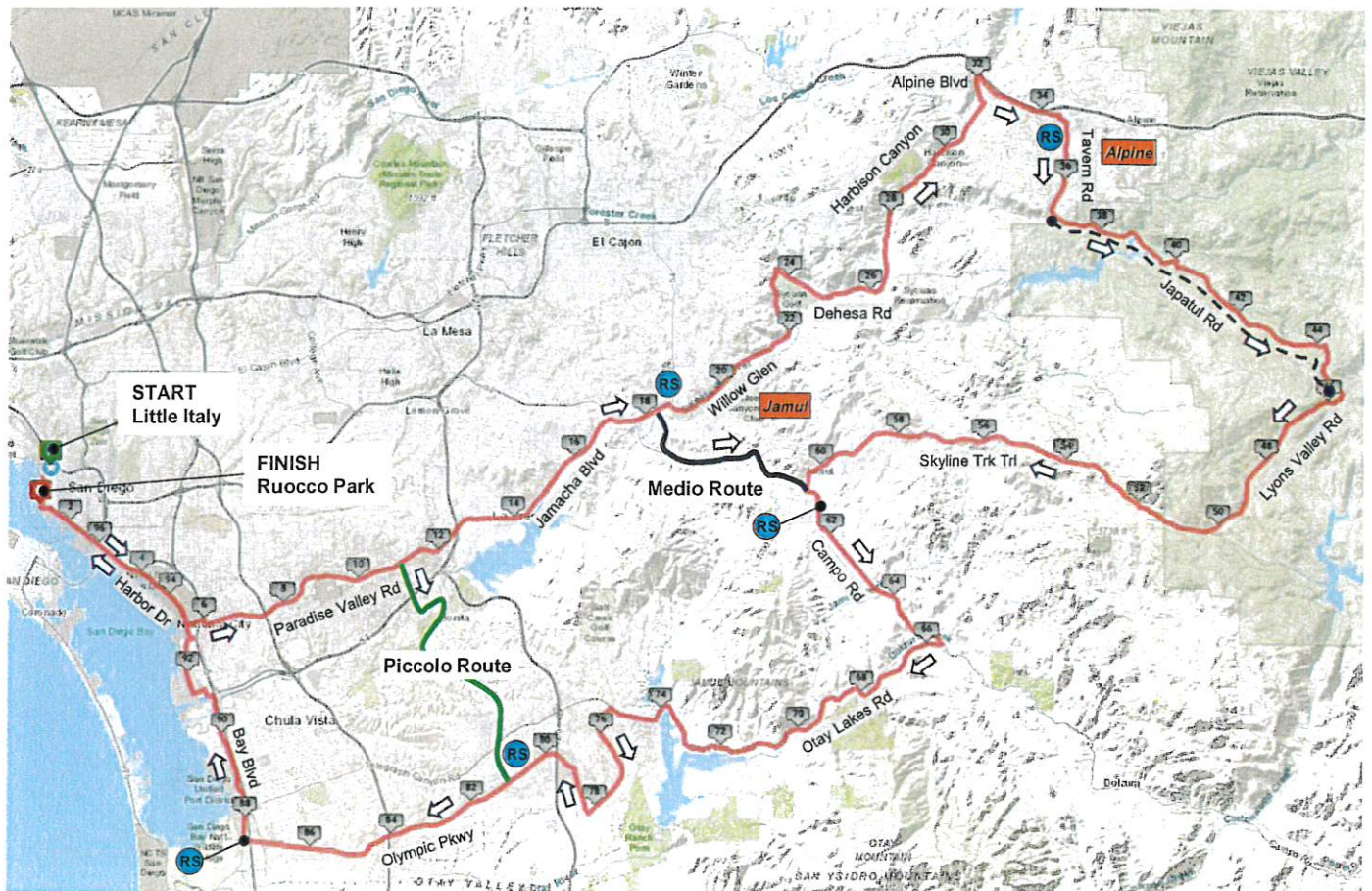
Signature of Applicant: Tobias Panek

Official Title: Event Director Date: 2/26/2019

For Office Use Only

Certificate of Insurance Approved _____ Date _____

Master Route Map



GRANFONDO SAN DIEGO

Permit Timeline

Friday

2:00 PM	Arrive at Ruocco Park. Claim the East Lot along Pac Hwy Meter numbers 7045-7062 Set-up registration area, vendor area Raphael's builds festival tents
5:00 PM	Security Arrives

Saturday

6:00 AM	Expo set-up in Ruocco Park, close parking lots Set-up bike racks, finish line truss, place out
10:00 AM	Registration Opens / Expo Opens
4:00 PM	EXPO closes
5:00 PM	Security Arrives

Sunday

2:00 AM	Streets barricaded & cars towed by Little Italy	Ramiro
3:00 AM	Finish line set-up Place Tapper at G st. Push S/B traffic into median lane	Tobias / Jennifer / Crew
4:15 AM	Drop Start line registration items, water station	
5:00 AM	Registration Opens (At the start line)	Bobbie / Reg & Merch
6:00 AM	Starting grid opens	
6:30 AM	All vehicles set	
7:00 AM	Opening remarks, event rules, cautions	
7:15 AM	Ride Start	ALL
8:45 AM	First rider finishes	
9:00 AM	Open India Street	
5:30 PM	Course Closes	

Campagnolo GranFondo San Diego Gran Fondo Cue Sheet

0 mi	Start north on India St toward W Fir St
0.2 mi	Turn left onto W Hawthorn St
0.3 mi	Turn left onto Pacific Hwy
1.3 mi	Turn left onto W Harbor Dr
5.6 mi	Turn left onto W 8th St
6.0 mi	Turn right onto Roosevelt Ave
6.2 mi	Turn left onto W Plaza Blvd
8.6 mi	Straight onto Paradise Valley Rd
12.7 mi	Continue onto Jamacha Blvd
17.2 mi	Turn right onto Campo Rd (rest stop on Right)
18.6 mi	Turn right onto Willow Glen Dr
23.6 mi	Turn right onto Dehesa Rd
26.8 mi	Continue straight onto Harbison Canyon Rd (start KOM)
31.4 mi	Turn left onto Arnold Way
32.2 mi	Turn right onto Alpine Blvd
34.4 mi	Turn right onto Tavern Rd (rest stop on Right)
37.1 mi	Continue onto Japatul Rd
44.2 mi	Turn right onto Lyons Valley Rd
51.9 mi	Turn right onto Skyline Truck Trail
59.0 mi	Continue onto Lyons Valley Rd
60.3 mi	Turn left onto Jefferson Rd
60.1 mi	Turn left onto Campo Rd (rest stop on Right)
65.6 mi	Turn right onto Otay Lakes Rd
75.3 mi	Turn left onto Hunte Pkwy
78.2 mi	Turn right onto Eastlake Pkwy
79.2 mi	Turn left onto Olympic Pkwy
80.2 mi	Turn right onto E Palomar St (Rest stop on Right)
80.5 mi	Return to Olympic Pkwy and right onto Olympic Pkwy
84.6 mi	Continue straight on E Orange Ave
87.1 mi	Turn left onto Palomar St
88.0 mi	Turn right onto Bay Blvd
90.5 mi	At E st Make left onto Gunpowder Point Dr and onto Bayshore Bikeway
91.8 mi	Turn left onto W 32nd St
92.0 mi	Turn right onto Tideland Ave
93.3 mi	Turn left onto E Harbor Dr
98.1 mi	Finish left into Ruocco Park

Campagnolo GranFondo San Diego Medio Fondo Cue Sheet

0 mi	Start north on India St toward W Fir St
0.2 mi	Turn left onto W Hawthorn St
0.3 mi	Turn left onto Pacific Hwy
1.3 mi	Turn left onto W Harbor Dr
5.6 mi	Turn left onto W 8th St
6.0 mi	Turn right onto Roosevelt Ave
6.2 mi	Turn left onto W Plaza Blvd
8.6 mi	Straight onto Paradise Valley Rd
12.7 mi	Continue onto Jamacha Blvd
17.2 mi	Turn right onto Campo Rd (rest stop on Right)
18.6 mi	Turn right onto Willow Glen Dr
19.4 mi	Turn right onto Steele Canyon Rd
20.8 mi	Turn left onto Campo Rd
23.5 mi	Rest Stop on Right
28.1 mi	Turn right onto Otay Lakes Rd
37.8 mi	Turn left onto Hunte Pkwy
40.7 mi	Turns right and becomes Eastlake Pkwy
41.2 mi	Turn left onto Olympic Pkwy
42.8 mi	Turn right onto E Palomar (rest stop on Right)
43.0 mi	Make a U-turn at Vista Sonrisa Ave return to Olympic
47.1 mi	Continue onto E Orange Ave
49.6 mi	Turn left onto Palomar St
50.5 mi	Turn right onto Bay Blvd
53.0 mi	At E st Turn left onto Gunpowder Point Dr and enter Bay Shore Bikeway
54.3 mi	Continue onto W 32nd St
54.5 mi	Turn right onto Tidelands Ave
55.8 mi	Turn left onto E Harbor Dr
60.6 mi	Finish on left into Ruocco Park

Campagnolo GranFondo San Diego Fun Fondo Cue Sheet

0 mi	Start north on India St toward W Fir St
0.2 mi	Turn left onto W Hawthorn St
0.3 mi	Turn left onto Pacific Hwy
1.3 mi	Turn left onto W Harbor Dr
5.7 mi	Go Straight at 8 th st
5.9 mi	Turn right onto Civic Center Dr
6.1 mi	Continue onto Tidelands Ave
7.2 mi	Turn left onto W 32nd St
7.4 mi	At Marina Way enter Bayshore Bikeway
8.7 mi	Turn left onto Gunpowder Point Dr and Right onto Bay Blvd
10.0 mi	At J st cross road and enter Bay Shore Bikeway
11.2 mi	Turn left onto Palomar St (Rest Stop on Right)
11.3 mi	West Head west on Palomar St toward Bay Blvd
11.3 mi	Return Right onto Bay Blvd
13.8 mi	At E st Turn left onto Gunpowder Point Dr and onto Bay Shore Bikeway
15.1 mi	Turn left onto W 32nd St
15.3 mi	Turn right onto Tidelands Ave
16.6 mi	Turn left onto E Harbor Dr
21.3 mi	Finish on left into Ruocco Park

Campagnolo GranFondo San Diego Piccolo Fondo Cue Sheet

0 mi	Start north on India St toward W Fir St
0.2 mi	Turn left onto W Hawthorn St
0.3 mi	Turn left onto Pacific Hwy
1.3 mi	Turn left onto W Harbor Dr
5.6 mi	Turn left onto W 8th St
6.0 mi	Turn right onto Roosevelt Ave
6.2 mi	Turn left onto W Plaza Blvd
8.6 mi	Straight onto Paradise Valley Rd
10.7 mi	Turn right onto Briarwood Rd
12.3 mi	Turn left onto Sweetwater Rd
12.7 mi	Turn right onto Bonita Rd
14.3 mi	Turn left onto Otay Lakes Rd
17.3 mi	Continue straight onto La Media Rd
17.8 mi	Turn left onto E Palomar St (Rest Stop on Left)
18.4 mi	Turn right onto Olympic Pkwy
22.2 mi	Continue onto E Orange Ave
24.7 mi	Turn left onto Palomar St
25.6 mi	Turn right onto Bay Blvd
28.2 mi	At E st Turn left onto Gunpowder Point Dr and onto Bay Shore Bikeway
29.5 mi	Turn left onto W 32nd St
29.6 mi	Turn right onto Tidelands Ave
31.0 mi	Turn left onto E Harbor Dr
35.7 mi	Finish on left into Ruocco Park

Issued by: HDI Global Specialty SE
Policy Number: 18LB2151
Issued to: Life Sports Foundation
Effective Date: 4/5/19 to 4/8/19

COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

ADDITIONAL INSURED – DESIGNATED PERSON OR ORGANIZATION

This endorsement modifies insurance provided under the following:

COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE

Name of Person or Organization;

City of National City, its officers, agents and employees

WHO IS INSURED (Section II) is amended to include as an insured the person or Organization shown in the Schedule as an insured but only in respect to liability arising out of your operations or premises owned by or rented to you.



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

02/26/19

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Home Event Insurance Services, Inc. 1407 Foothill Blvd #228 La Verne, CA 91750 Phone (866) 866-7090 Fax (866) 496-5968	CONTACT NAME: Ed Moore PHONE (A/C, No, Ext): (866) 866-7090 FAX (A/C, No): (866) 496-5968 E-MAIL ADDRESS: ed@homeeventinsurance.com
INSURED Life Sports Foundation 9939 Hilbert St., #105 San Diego CA 92131	INSURER(S) AFFORDING COVERAGE INSURER A: HDI Global Specialty SE INSURER B: United States Fire Insurance Company INSURER C: INSURER D: INSURER E: INSURER F:

COVERAGES**CERTIFICATE NUMBER:****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.


INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input checked="" type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> Participant Liability <input checked="" type="checkbox"/> Liquor Liability GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC	Y	N	18LB2151	04/05/2019	04/08/2019	EACH OCCURRENCE \$ 1,000,000.00 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000.00 MED EXP (Any one person) \$ PERSONAL & ADV INJURY \$ 1,000,000.00 GENERAL AGGREGATE \$ 3,000,000.00 PRODUCTS - COMP/OP AGG \$ 2,000,000.00 \$
A	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/>	Y	N	18LB2151	04/05/2019	04/08/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000.00 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$		N				EACH OCCURRENCE \$ AGGREGATE \$ \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory In NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> WC STATUTORY LIMITS <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$
B	Participant Excess Accident Medical			US1203439	04/05/2019	04/08/2019	\$25,000 each person, \$1,000 deductible

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Event: Granfondo San Diego
Event Date: April 7, 2019

Coverage for Participant Legal Liability requires that every participant signs a waiver/release. The certificate holder is named as Additional Insured.

CERTIFICATE HOLDER**CANCELLATION**

City of National City c/o Risk Manager 1243 National City Blvd. National City, CA 91950-4301	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE 
---	--

**CITY OF NATIONAL CITY
NEIGHBORHOOD SERVICES DEPARTMENT
APPLICATION FOR A TEMPORARY USE PERMIT
RECOMMENDATIONS AND CONDITIONS**

SPONSORING ORGANIZATION: **Life Sports Foundation**
EVENT: **11th Annual Granfondo San Diego Fun Bike Ride**
DATE OF EVENT: **April 7, 2019**

APPROVALS:

DEVELOPMENT SERVICES	YES [x]	NO []	SEE CONDITIONS []
RISK MANAGER	YES [x]	NO []	SEE CONDITIONS [x]
PUBLIC WORKS	YES [x]	NO []	SEE CONDITIONS []
FINANCE	YES [x]	NO []	SEE CONDITIONS [x]
FIRE	YES [x]	NO []	SEE CONDITIONS [x]
POLICE	YES [x]	NO []	SEE CONDITIONS [x]
CITY ATTORNEY	YES [x]	NO []	SEE CONDITIONS [x]
COMMUNITY SERVICES	YES [x]	NO []	SEE CONDITIONS []
NEIGHBORHOOD SERVICES	YES [x]	NO []	SEE CONDITIONS [x]

CONDITIONS OF APPROVAL:

DEVELOPMENT SERVICES (619) 336-4318

No comments

FIRE (619) 336-4550

No fees for this event

Stipulations required by the Fire Department for this event are as follows:

- 1) Maintain Fire Department access at all times. Emergency services access shall be given to all emergency apparatus upon approach
- 2) Access for Fire Department shall be maintained at all times. At no time shall fire lanes, fire hydrants, fire protection systems of all types etc. be obstructed at any time. A minimum of 20 feet wide shall be maintained for the use of fire lanes
- 3) First Aid will be provided by organization
- 4) Fees can only be waived by City Council

RISK MANAGER (619) 336-4370

Risk Management has reviewed the above captioned request to for the issuance of a Temporary Use Permit. It is recommended that as a condition of the issuance of the permit that the following documents must be provided:

- A valid copy of the Certificate of Liability Insurance.
- That the insurance policy must have a combined single limit of no less than \$1,000,000.00 (ONE MILLION DOLLARS) and \$2,000,000.00 (TWO MILLION DOLLARS) in aggregate that would cover the date and location of the event.
- The applicant must provide a separate additional insured endorsement wherein it notes as the additional insured as "The City of National City, its officials, agents, employees and volunteers".
- That the insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not then insurance policy must be submitted to the Risk Management Department for review and approval prior to the issuance of the Temporary Use Permit.
- The Certificate Holder must reflect:
City of National City
c/o Risk Manager
1243 National City Boulevard
National City, CA. 91950-4301

It should be noted that the Indemnification and Hold Harmless Agreement were properly executed by the applicant at the time the Special Event Application was submitted.

PUBLIC WORKS (619)366-4580

No involvement

FINANCE

Life Sports Foundations needs to apply for a business license.

CITY ATTORNEY

Approved on condition that Risk Manager approves.

COMMUNITY SERVICES

No involvement

POLICE DEPARTMENT

Based on the information provided, the recommendation would be that one officer be assigned to the procession for a period of one to four hours in order to provide a safe traffic break as the cyclists make their way through the proposed intersection.

The current officer rate is attached below:

That would be for a total of (4) hours of overtime, at a pay rate of \$79.60 per hour for a total of \$318.40.

****Four hours of overtime is the minimum per the NCPOA MOU. ****

NEIGHBORHOOD SERVICES

Neighborhood Notifications – Events are required to notify residents and/or businesses of the surrounding impacted areas by the event. The notice shall include the name of the event, name and phone number of the company/organization producing the event, the dates and times of the event (including set-up and breakdown) and a detailed description of how the residents and/or businesses may be affected, such as by street closures, “No Parking” signs being posted, music at the event, etc.

The following page(s) contain the backup material for Agenda Item: [Temporary Use Permit - St. Anthony of Padua Church presentation of the "Live Stations of the Cross" starting at 410 W. 18th Street on April 19, 2019 from 3:00 p.m. to 4:00 p.m. with no waiver of fees. \(Neighborhood Services\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO. |

ITEM TITLE:

Temporary Use Permit — St. Anthony of Padua Church presentation of the “Live Stations of the Cross” starting at 410 W. 18th Street on April 19, 2019 from 3 p.m. to 4 p.m. with no waiver of fees.

PREPARED BY: Dionisia Trejo

DEPARTMENT: Neighborhood Services Department

PHONE: (619) 336-4255 |

APPROVED BY: 

EXPLANATION:

This is a request from St. Anthony of Padua's Church to conduct it's representation of the passion and death of Jesus Christ on April 19, 2019 from 3 p.m. to 4 p.m. Event begins on church grounds; followers will start the church walk on Harding Avenue going northbound until reaching W.16th Street. The church walk will then continue westbound on W.16th Street where they will turn south going onto Wilson Avenue. The walk will then continue southbound on Wilson Avenue to end inside St. Anthony's parking lot on the corner of Wilson Avenue & W.19th Street. During the walk, amplified sound will be used for certain prayers to reflect the presentation and the incidents from station to station.

Participants will follow the rules of the road and a Police unit will follow the procession.

Note: This event was approved by Council in 2017 and 2018 with no waiver of fees.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO. |

APPROVED: _____ **MIS**

City fee of \$272.00 for processing the TUP through various City departments, plus \$318.40 for Police Department.

Total Fees: \$590.40

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Approve the Application for a Temporary Use Permit subject to compliance with all conditions of approval with no waiver of fees or in accordance to City Council Policy 802. |

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

Application for a Temporary Use Permit with recommended approvals and conditions of approval. |



City of National City ■ Neighborhood Services Department
1243 National City Boulevard ■ National City, CA 91950
(619) 336-4364 ■ fax (619) 336-4217
www.nationalcityca.gov

Special Event Application

Type of Event

- ☐ Fair/Festival ☐ Parade/March ☐ Walk or Run ☐ Concert/Performance
☐ TUP ☐ Sporting Event ☒ Other (specify) _____

Event Name & Location

Event Title Live Stations of the Cross

Event Location (list all sites being requested) St. Anthony of Padua Church

RECEIVED

FEB 12 2019

Neighborhood Services Department
City of National City

Event Times

Set-Up Starts

Date N/A Time _____ Day of Week _____

Event Starts

Date 04/19/2019 Time 3:00PM Day of Week FRIDAY

Event Ends

Date 04/19/2019 Time 4:00pm Day of Week FRIDAY

Breakdown Ends

Date N/A Time _____ Day of Week _____

Applicant Information

Applicant (Your name) Rev. Jose Edmundo Zarate Sponsoring Organization St. Anthony of Padua

Event Coordinator (if different from applicant) Judith Navarro

Mailing Address 410 W. 18th Street National City, CA 91950

Day Phone 619-477-4520 After Hours Phone 619-267-2820 Cell _____ Fax 619-477-8708

Public Information Phone 619-477-4520 E-mail stanthonyofpadua@sbcglobal.net

Applicant agrees to investigate, defend, indemnify and hold harmless the City, its officers, employees and agents from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, expense (including attorney's fees) and causes of action of any character which the City, its officers, employees and agents may incur, sustain or be subjected to on account of loss or damage to property or the loss of use thereof and for bodily injury to or death of any persons (including but not limited to the employees, subcontractors, agents and invitees of each party hereto) arising out of or in any way connected to the occupancy, enjoyment and use of any City premises under this agreement to the extent permitted by law.

Applicant understands this TUP/special event may implicate fees for City services, which will have to be paid in the City's Finance Department 48 hours prior to the event set-up. The undersigned also understands and accepts the City's refund policy for application processing and facility use and that fees and charges are adjusted annually and are subject to change.

Signature of Applicant: _____ Date 02/12/19

Special Event Application (continued)

Please complete the following sections with as much detail as possible since fees and requirements are based on the information you provide us.

Fees/Proceeds/Reporting

Is your organization a "Tax Exempt, nonprofit" organization? Yes ☒ No ☐

Are admission, entry, vendor or participant fees required? Yes ☐ No ☒

If YES, please explain the purpose and provide amount (s):

\$ N/A Estimated Gross Receipts including ticket, product and sponsorship sales from this event.

\$ N/A Estimated Expenses for this event.

\$ N/A What is the projected amount of revenue that the Nonprofit Organization will receive as a result of this event?

Description of Event

☐ First time event ☒ Returning Event ☒ include site map with application

Note that this description may be published in our City Public Special Events Calendar:

On Good Friday we will have our annual representation of the Passion & death of Jesus Christ.

The procession will begin in front of St. Anthony's Church & end in the church parking lot.

Our parish volunteers and everyone in the community is invited to participate in prayer and meditation.

Our actors & P.A truck will be walking thru the street and the community will be walking

on the sidewalks as we go thru the stations of the cross.

Estimated Attendance

Anticipated # of Participants: 50 Anticipated # of Spectators: 250

Traffic Control, Security, First Aid and Accessibility

Requesting to close street(s) to vehicular traffic? Yes ☐ No ☒

List any streets requiring closure as a result of the event (provide map): _____

Date and time of street closure: _____ Date and time of street reopening: _____

☒ Other (explain) _____

Requesting to post "no parking" notices? Yes ☐ No ☒

☐ Requested "No Parking" on city streets and/or parking lots (list streets/parking lots) (provide map): _____

☐ Other (explain) _____

Security and Crowd Control

Depending on the number of participants, your event may require Police services.

Please describe your procedures for both Crowd Control and Internal Security: _____

Volunteers & parish staff will be in charge of crowd control & we will rely on National City Police

for any emergency.

Have you hired Professional Security to handle security arrangements for this event?

Yes ☐ No ☒ If YES, name and address of Security Organization _____

Security Director (Name): _____ Phone: _____

If using the services of a professional security firm AND the event will occur on City property, please provide a copy of its insurance certificate, evidencing liability with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate, as well as and additional insured endorsement naming the City of National City, its officers, employees, and agents as additional insureds. Evidence of insurance must be provided by the vendor or its insurer to the City's Risk Manager for review and approval prior to the event.

Is this a night event? Yes ☐ No ☒ If YES, please state how the event and surrounding area will be illuminated to ensure safety of the participants and spectators: _____

First Aid

Depending on the number of participants, your event may require specific First Aid services.

First aid station to be staffed by event staff? Yes ☒ No ☐ First aid/CPR certified? Yes ☐ No ☒

☐ First aid station to be staffed by professional company. ► Company _____

Accessibility

Please describe your Accessibility Plan for access at your event by individuals with disabilities:

Elements of your Event

Setting up a stage? Yes ☐ No ☒

☐ Requesting City's PA system

☐ Requesting City Stage; if yes, which size? ☐ Dimensions (13x28) ☐ Dimensions (20x28)

☐ Applicant providing own stage ► _____ (Dimensions)

Setting up canopies or tents?

_____ # of canopies size _____

_____ # of tents size _____

☐ No canopies/tents being set up

Setting up tables and chairs?

☐ Furnished by Applicant or Contractor

_____ # of tables ☒ No tables being set up

_____ # of chairs ☒ No chairs being set up

☐ (For City Use Only) Sponsored Events – Does not apply to co-sponsored events

_____ # of tables ☐ No tables being set up

_____ # of chairs ☐ No chairs being set up

Contractor Name _____

Contractor Contact Information _____
Address City/State Phone Number

Setting up other equipment?

☐ Sporting Equipment (explain) _____

☐ Other (explain) _____

☒ Not setting up any equipment listed above at event

Having amplified sound and/or music? Yes ☐ No ☒

☐ PA System for announcements ☐ CD player or DJ music

☐ Live Music ▶ ☐ Small 4-5 piece live band ▶ ☐ Large 6+ piece live band

☐ Other (explain) _____

If using live music or a DJ. ▶ Contractor Name _____

▶ _____
Address City/State Phone Number

Using lighting equipment at your event? Yes ☐ No ☒

☐ Bringing in own lighting equipment

☐ Using professional lighting company ▶ Company Name _____

Address City/State Phone Number

Using electrical power? Yes ☐ No ☒

☐ Using on-site electricity ☐ For sound and/or lighting ☐ For food and/or refrigeration

☐ Bringing in generator(s) ☐ For sound and/or lighting ☐ For food and/or refrigeration

Vendor Information

PLEASE NOTE: You may be required to apply for a temporary health permit if food or beverages are sold or given away during your special event. Also see 'Permits and Compliance' on page 8 in the Special Event Guide. For additional information on obtaining a temporary health permit, please contact the County of San Diego Environmental Health at (619) 338-2363.

Having food and non-alcoholic beverages at your event? Yes ☐ No ☒

☐ Vendors preparing food on-site ▶ # _____ ▶ Business License # _____

If yes, please describe how food will be served and/or prepared: _____

If you intend to cook food in the event area please specify the method:

☐ GAS ☐ ELECTRIC ☐ CHARCOAL ☐ OTHER (Specify): _____

☐ Vendors bringing pre-packaged food ▶ # _____ ▶ Business License # _____

☐ Vendors bringing bottled, non-alcoholic beverages (i.e., bottled water, can soda, etc.) ▶ # _____

☐ Vendors selling food # _____ ▶ Business License #(s) _____

☐ Vendors selling merchandise # _____ ▶ Business License #(s) _____

- ☐ Food/beverages to be handled by organization; no outside vendors
- ☐ Vendors selling services # _____ ▶ Business License #(s) _____
- ▶ Explain services _____
- ☐ Vendors passing out information only (no business license needed) # _____
- ▶ Explain type(s) of information _____
- ☒ No selling or informational vendors at event

Having children activities? Yes ☐ No ☒

PLEASE NOTE: In the event inflatable jumps are provided at the event, The City of National City requires commercial liability insurance with limits of at least \$1 Million dollars per occurrence/\$2 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. The application should be filed out at least one week prior to the event. There is a \$25 fee to process the permit application. For questions or to obtain a copy of the "Facility Use Application", please contact the Engineering/Public Works Department at (619) 336-4580.

- ☐ Inflatable bouncer house # _____ ☐ Rock climbing wall Height _____
- ☐ Inflatable bouncer slide # _____ ☐ Arts & crafts (i.e., craft making, face painting, etc.)
- ☐ Other _____

Having fireworks or aerial display? Yes ☐ No ☒

- ☐ Vendor name and license # _____
- Dimensions _____ Duration _____
- Number of shells _____ Max. size _____

PLEASE NOTE: In the event fireworks or another aerial display is planned for your event, The City of National City requires commercial liability insurance with limits of at least \$2 Million dollars per occurrence/ \$4 Million dollars aggregate. In addition, the City of National City must be named as an Additional Insured pursuant to a separate endorsement, which shall be provided by the vendor or its insurer to the City's Risk Manager, along with the Certificate of Insurance, for approval prior to the event. Depending on the size and/or nature of the fireworks display, the City reserves the right to request higher liability limits. The vendor must also obtain a fireworks permit from the National City Fire Department and the cost is \$502.00

Arranging for media coverage? Yes ☐ No ☒

- ☐ Yes, but media will not require special set-up
- ☐ Yes, media will require special set-up. Describe _____

Event Signage

PLEASE NOTE: For City sponsored or co-sponsored events, banners publicizing the event may be placed on the existing poles on the 1800 block and 3100 block of National City Boulevard. The banners must be made to the City's specifications. Please refer to the City's Special Event Guidebook and Fee Schedule for additional information.

Are you planning to have signage at your event? Yes ☐ No ☒

☐ Yes, we will post signage # _____ Dimensions _____

☐ Yes, having inflatable signage # _____ ► (complete Inflatable Signage Request form)

☐ Yes, we will have banners # _____

☐ What will signs/banners say? _____

☐ How will signs/banners be anchored or mounted? _____

Waste Management

PLEASE NOTE: One toilet for every 250 people is required, unless the applicant can show that there are sufficient facilities in the immediate area available to the public during the event.

Are you planning to provide portable restrooms at the event? Yes ☐ No ☒

If yes, please identify the following:

► Total number of portable toilets: _____

► Total number of ADA accessible portable toilets: _____

☐ Contracting with portable toilet vendor. ► _____
Company Phone

► Load-in Day & Time _____ ► Load-out Day & Time _____

☐ Portable toilets to be serviced. ► Time _____

Set-up, Breakdown, Clean-up

Setting up the day before the event?

☐ Yes, will set up the day before the event. ► # of set-up day(s) _____

☒ No, set-up will occur on the event day

Requesting vehicle access onto the turf?

☐ Yes, requesting access onto turf for set-up and breakdown (complete attached Vehicle Access Request form)

☒ No, vehicles will load/unload from nearby street or parking lot.

NPDES-Litter Fence

- ☐ City to install litter fence
- ☐ Applicant to install litter fence
- ☒ N/A

Breaking down set-up the day after the event?

- ☐ Yes, breakdown will be the day after the event. ► # of breakdown day(s) _____
- ☒ No, breakdown will occur on the event day.

How are you handling clean-up?

- ☐ Using City crews
- ☒ Using volunteer clean-up crew during and after event.
- ☐ Using professional cleaning company during and after event.

Miscellaneous

Please list anything important about your event not already asked on this application:

**Please make a copy of this application for your records.
We do not provide copies.**



Special Events

Pre-Event Storm Water Compliance Checklist

I. Special Event Information

Name of Special Event: Live Stations of the Cross

Event Address: 410 W. 18th Street National City Expected # of Attendees: 250

Event Host/Coordinator: Rev. Jose Edmundo Zarate-Suarez Phone Number: 619-477-4520

II. Storm Water Best Management Practices (BMPs) Review

	YES	NO	N/A
Will enough trash cans provided for the event? Provide number of trash bins: _____	N/A	N/A	N/A
Will enough recycling bins provided for the event? Provide number of recycle bins: _____	N/A	N/A	N/A
Will all portable toilets have secondary containment trays? (exceptions for ADA compliant portable toilets)	N/A	N/A	N/A
Do all storm drains have screens to temporarily protect trash and debris from entering?	N/A	N/A	N/A
Are spill cleanup kits readily available at designated spots?	N/A	N/A	N/A

* A Post-Event Storm Water Compliance Checklist will be completed by City Staff.

City of National City

PUBLIC PROPERTY USE HOLD HARMLESS AND INDEMNIFICATION AGREEMENT

Persons requesting use of City property, facilities or personnel are required to provide a minimum of \$1,000,000 combined single limit insurance for bodily injury and property damage which includes the City, its officials, agents and employees named as additional insured and to sign the Hold Harmless Agreement. Certificate of insurance must be attached to this permit. The insurance company issuing the insurance policy must have a A.M. Best's Guide Rating of A:VII and that the insurance company is a California admitted company; if not, then the insurance policy to the issuance of the permit for the event. The Certificate Holder must reflect:

City of National City
Risk Management Department
1243 National City Boulevard
National City, CA 91950

Organization: St. Anthony of Padua Church
Person in Charge of Activity: Rev. Jose Edmundo Zarate-Suarez
Address: 410 W. 18th Street National City, CA 91950
Telephone: 619-477-4520 Date(s) of Use: 04/19/2019

HOLD HARMLESS AGREEMENT

As a condition of the issuance of a temporary use permit to conduct its activities on public or private property, the undersigned hereby agree(s) to defend, indemnify and hold harmless the City of National City and the Parking Authority and its officers, employees and agents from and against any and all claims, demands, costs, losses, liability or, for any personal injury, death or property damage, or both, or any litigation and other liability, including attorneys fees and the costs of litigation, arising out of or related to the use of public property or the activity taken under the permit by the permittee or its agents, employees or contractors.

Signature of Applicant: 

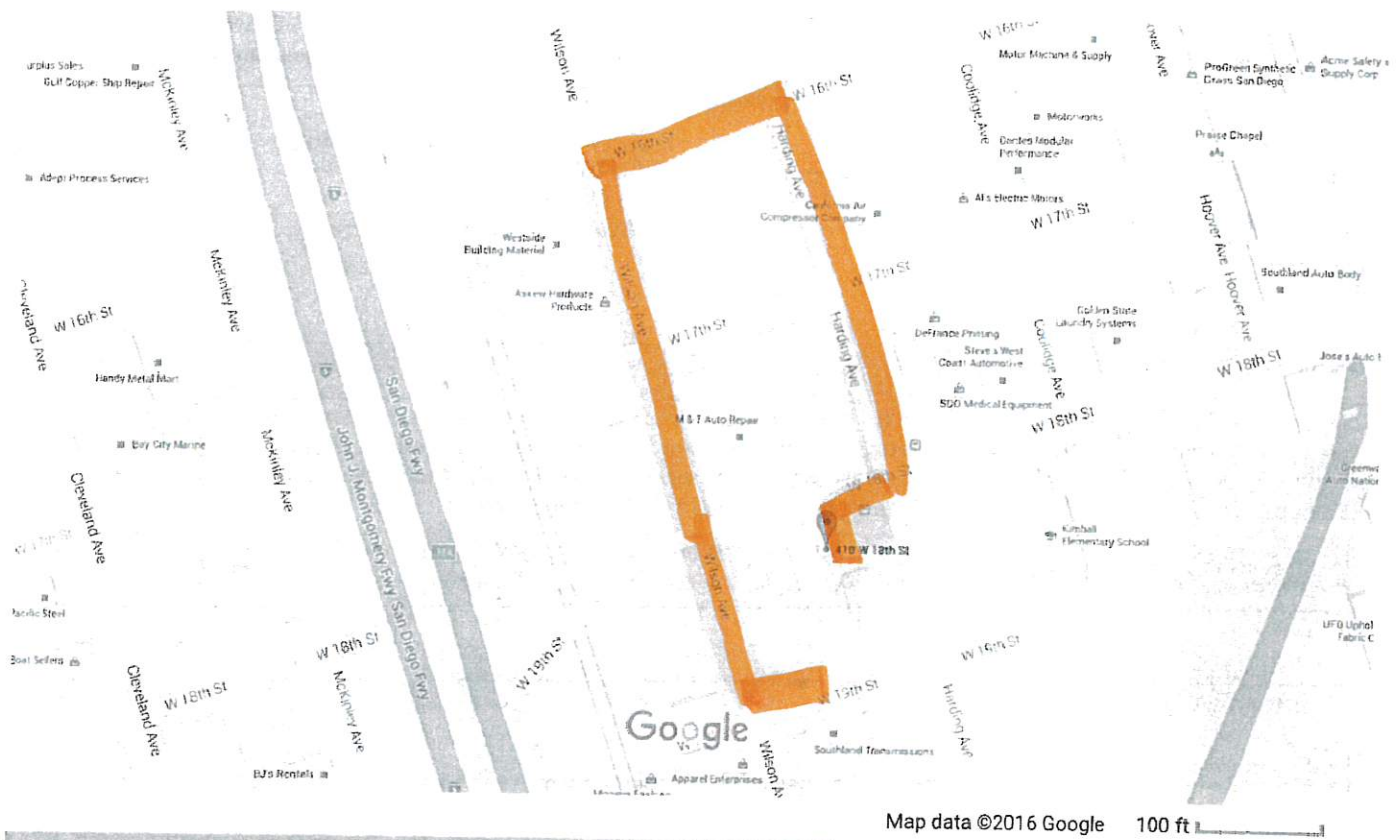
Official Title: Pastor

Date: FEB 12, 2019

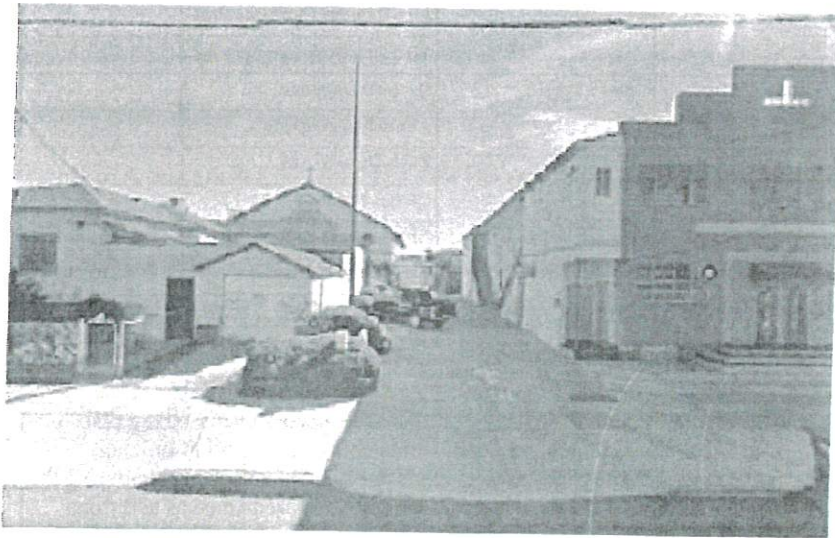
For Office Use Only

Certificate of Insurance Approved _____ Date _____

Google Maps 410 W 18th St



Map data ©2016 Google 100 ft



410 W 18th St
National City, CA 91950



Certificate of Coverage

Date: 2/25/2019

Certificate Holder

The Roman Catholic Bishop of San Diego,
A Corporation Sole
Pastoral Center
P.O. Box 85728
San Diego, CA 92186

This Certificate is issued as a matter of information only and confers no rights upon the holder of this certificate. This certificate does not amend, extend or alter the coverage afforded below.

Company Affording Coverage

THE CATHOLIC MUTUAL RELIEF
SOCIETY OF AMERICA
10843 OLD MILL RD
OMAHA, NE 68154

Covered Location

St. Anthony of Padua Parish
410 West 18th Street
National City, CA 91950

Coverages

This is to certify that the coverages listed below have been issued to the certificate holder named above for the certificate indicated, notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the coverage afforded described herein is subject to all the terms, exclusions and conditions of such coverage. Limits shown may have been reduced by paid claims.

	Type of Coverage	Certificate Number	Coverage Effective Date	Coverage Expiration Date	Limits	
	Property				Real & Personal Property	
	D. General Liability	8585	7/1/2018	7/1/2019	Each Occurrence	1,000,000
	<input checked="" type="checkbox"/> Occurrence				General Aggregate	
	<input type="checkbox"/> Claims Made				Products-Comp/OP Agg	
					Personal & Adv Injury	
					Fire Damage (Any one fire)	
					Med Exp (Any one person)	
	Excess Liability				Each Occurrence	
					Annual Aggregate	
	Other				Each Occurrence	
					Claims Made	
					Annual Aggregate	
					Limit/Coverage	

Description of Operations/Locations/Vehicles/Special Items (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language)

Coverage extends only for claims directly arising out of the St. Anthony of Padua Parish Live Stations of the Cross event, taking place on April 19, 2019, from 3 pm to 4 pm. Procession begins in from of St. Anthony's Church, and ends in the church parking lot utilizing Harding Avenue, West 19th Street, Wilson Avenue, and West 18th Street. Liability coverage extends only for claims occurring during the date and time of the St. Anthony of Padua event. The City of National City, its officials, agents and employees are named as additional protected person(s) as it pertains to passive negligence only.

Holder of Certificate

Additional Protected Person(s)

City of National City
Risk Management Department
1243 National City Blvd.
National City, CA 91950

Cancellation

Should any of the above described coverages be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the holder of certificate named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

Michael A. Gutierrez

0168008009

113 of 310

ENDORSEMENT

(TO BE ATTACHED TO CERTIFICATE)

Effective Date of Endorsement: 4/19/2019

Cancellation Date of Endorsement: 4/20/2019

Certificate Holder: The Roman Catholic Bishop of San Diego,
A Corporation Sole
Pastoral Center
P.O. Box 85728

Location: St. Anthony of Padua Parish
410 West 18th Street
National City, CA 91950

Certificate No. 8585 of The Catholic Mutual Relief Society of America is amended as follows:

SECTION II - ADDITIONAL PROTECTED PERSON(S)

It is understood and agreed that Section II - Liability (only with respect to Coverage D - General Liability), is amended to include as an Additional Protected Person(s) members of the organizations shown in the schedule, but only with respect to their liability for the **Protected Person(s)** activities or activities they perform on behalf of the **Protected Person(s)**.

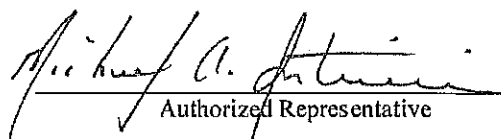
It is further understood and agreed that coverage extended under this endorsement is limited to and applies only with respect to liability assumed by contract or agreement; and this extension of coverage shall not enlarge the scope of coverage provided under this certificate or increase the limit of liability thereunder. Unless otherwise agreed by contract or agreement, coverage extended under this endorsement to the **Additional Protected Person(s)** will not precede the effective date of this certificate of coverage endorsement or extend beyond the cancellation date.

Schedule - ADDITIONAL PROTECTED PERSON(S)

City of National City
Risk Management Department
1243 National City Blvd.
National City, CA 91950

Remarks (the following language supersedes any other language in this endorsement or the Certificate in conflict with this language):

Coverage extends only for claims directly arising out of the St. Anthony of Padua Parish Live Stations of the Cross event, taking place on April 19, 2019, from 3 pm to 4 pm. Procession begins in front of St. Anthony's Church, and ends in the church parking lot utilizing Harding Avenue, West 19th Street, Wilson Avenue, and West 18th Street. Liability coverage extends only for claims occurring during the date and time of the St. Anthony of Padua event. The City of National City, its officials, agents and employees are named as additional protected person(s) as it pertains to passive negligence only.


Authorized Representative

**CITY OF NATIONAL CITY
NEIGHBORHOOD SERVICES DEPARTMENT
APPLICATION FOR A TEMPORARY USE PERMIT
RECOMMENDATIONS AND CONDITIONS**

SPONSORING ORGANIZATION: St. Anthony of Padua
EVENT: Live Stations of the Cross
DATE OF EVENT: April 19, 2019

APPROVALS:

DEVELOPMENT SERVICES	YES [x]	NO []	SEE CONDITIONS []
RISK MANAGER	YES [x]	NO []	SEE CONDITIONS [x]
PUBLIC WORKS	YES [x]	NO []	SEE CONDITIONS []
FINANCE	YES [x]	NO []	SEE CONDITIONS [x]
FIRE	YES [x]	NO []	SEE CONDITIONS [x]
POLICE	YES [x]	NO []	SEE CONDITIONS [x]
CITY ATTORNEY	YES [x]	NO []	SEE CONDITIONS [x]
COMMUNITY SERVICES	YES [x]	NO []	SEE CONDITIONS []
NEIGHBORHOOD SERVICES	YES [x]	NO []	SEE CONDITIONS [x]

CONDITIONS OF APPROVAL:

DEVELOPMENT SERVICES (619) 336-4318

No comments

RISK MANAGER (619) 336-4370

Risk Management has reviewed the Certificate of Coverage and supporting additional insured endorsement and is of the opinion that they have complied substantially with the City's insurance requirements. You may move forward with your internal review process.

PUBLIC WORKS (619)366-4580

No Involvement

FINANCE

No comments

FIRE (619) 336-4550

NO INSPECTION REQUIRED

NO CHARGE FOR THIS EVENT

Stipulations required by the Fire Department for this event are as follows:

- 1) Maintain Fire Department access at all times.
- 2) Means of egress shall not be obstructed in any manner and shall remain free of any material or matter where its presence would obstruct or render the means of egress hazardous.
- 3) Access for Fire Department shall be maintained at all times. At no time shall fire lanes, fire hydrants, fire protection systems of all types etc. be obstructed at any time. A minimum of 20 feet wide shall be maintained for the use of fire lanes.

If you have any questions please feel free to contact me.

POLICE DEPARTMENT

Based on the information provided, the recommendation would be that one officer be assigned to the procession for a period of four hours in order to provide a safe traffic break as the procession makes its way around the proposed route.

The current officer rate is attached below:

That would be for a total of (4) hours of overtime, at a pay rate of \$79.60 per hour for a total of \$318.40

***Four hours of overtime is the minimum per the NCPOA MOU. ***

Participants will follow the rules of the road and a Police unit will follow the procession.

CITY ATTORNEY

Approved on condition that Risk Manager approves.

COMMUNITY SERVICES

No involvement

NEIGHBORHOOD SERVICES

Neighborhood Notifications – Events are required to notify residents and/or businesses of the surrounding impacted areas by the event. The notice shall include the name of the event, name and phone number of the company/organization producing the event, the dates and times of the event (including set-up and breakdown) and a detailed description of how the residents and/or businesses may be affected, such as by street closures, “No Parking” signs being posted, music at the event, etc.

The following page(s) contain the backup material for Agenda Item: [Investment Report for the quarter ended December 31, 2018. \(Finance\)](#)
Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Investment Report for the quarter ended December 31, 2018.

PREPARED BY: *Ronald Gutlay*

PHONE: 619-336-4346

EXPLANATION:

See attached staff report.

DEPARTMENT: Finance

APPROVED BY: 

FINANCIAL STATEMENT:

ACCOUNT NO.

See attached staff report.

APPROVED: 

FINANCE

APPROVED: _____

MIS

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION ☐ FINAL ADOPTION ☐

STAFF RECOMMENDATION:

Accept and File the Investment Report for the Quarter ended December 31, 2018.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Staff Report
2. Investment Listings



City Council Staff Report

March 19, 2019

ITEM

Staff Report: Investment Report for the quarter ended December 31, 2018.

BACKGROUND

The California Government Code (§ 53646(b)) requires that, when the treasurer or the chief fiscal officer of a local agency renders to the legislative body of the agency a quarterly report on the agency's investment portfolio, such report shall include the following information regarding all securities, investments, and moneys held by the local agency:

- type of investment;
- issuer (bank or institution);
- date of maturity;
- dollar amount invested; and
- current market valuation as of the date of the report.

In addition, the Government Code (§ 53646(b)(2)) requires that the report state the City's compliance with its investment policy and include a statement regarding the ability of the local agency to meet its pool's ability to meet its expenditure requirements Code (§ 53646(b)(3)).

OVERVIEW OF CITY INVESTMENTS

The City's pooled investment portfolio balance as of December 31, 2018 is summarized below and compared to the balance as of December 31, 2017.

Table 1

	12/31/18	12/31/17
Book Value ¹	\$51,498,361	\$60,163,169
Market Value ²	\$51,524,456	\$60,064,162

(1) actual cost of investments

(2) amount at which the investments could be sold

The California Treasurer's Local Agency Investment Fund ("LAIF") and The County of San Diego Pooled Money Fund comprise 41.27% of the City of National City's total investment portfolio (25.19% and 16.08%, respectively). These are liquid investment pools that allow participants to earn market rate returns, while retaining access to funds within 24 to 48 hours of a

withdrawal request with no penalty. The remainder of the City's portfolio is composed of investments that may be liquidated at any time. However, these investments likely do not provide the short liquidity (i.e., quick access to funds) of the pooled money funds, and liquidation/withdrawal of these investments is at the risk of loss and/or penalty to the City.

Summaries of the City's investment portfolio are illustrated below.

INVESTMENT PORTFOLIO SUMMARY BY ISSUER/MANAGER

As of December 31, 2018

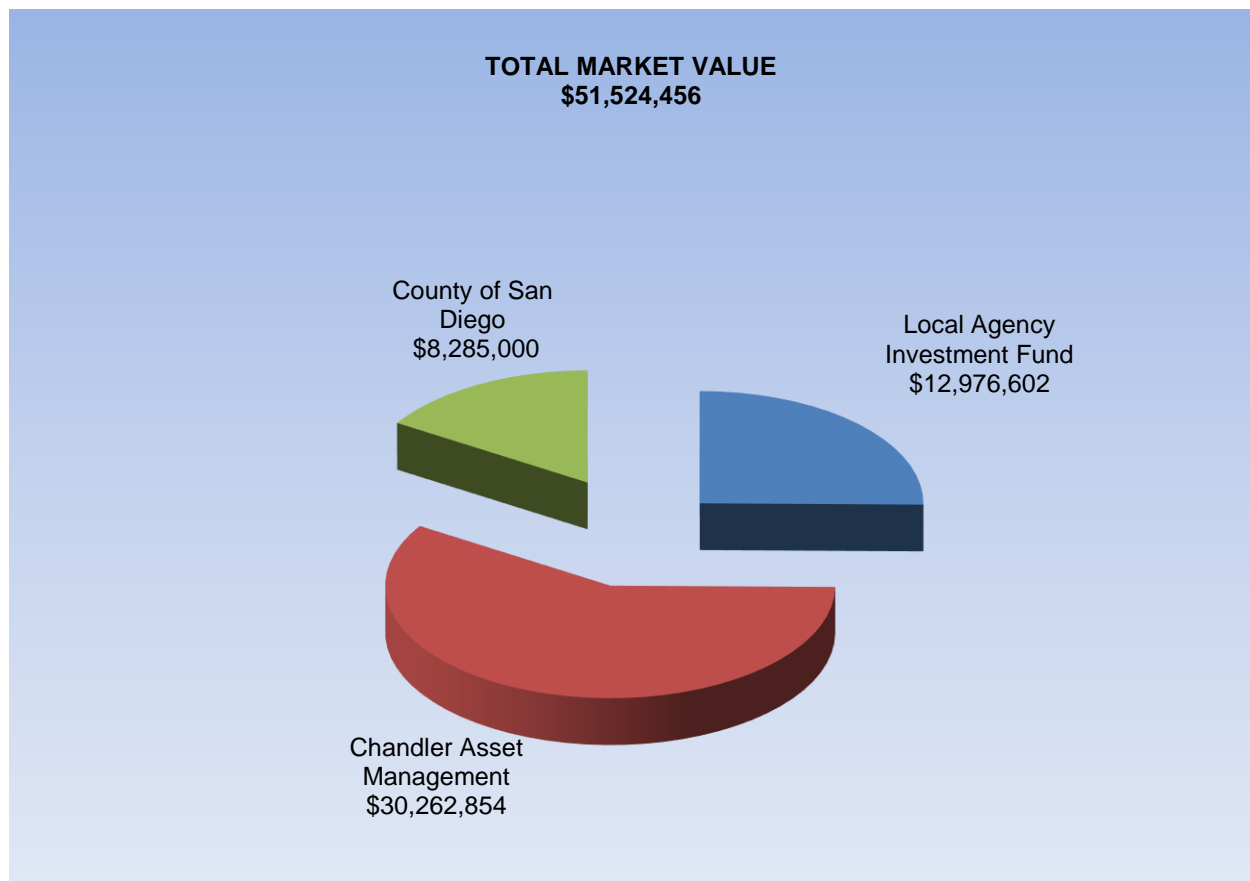
Table 2

Issuer/Manager	Book Value	Total Market Value ¹	Market YTM	% of Portfolio
Local Agency Investment Fund	\$12,891,388 ²	\$12,976,602	2.29% ³	25.19%
Chandler Asset Management	30,300,545	30,262,854	2.69%	58.73%
County of San Diego	8,306,428	8,285,000	2.36%	16.08%
Totals for December 31, 2018	\$51,498,361	\$51,524,456		100.00%

¹ includes accrued interest

² includes LAIF participation factor of 0.999051127

³ calculated on 30/360 basis



INVESTMENT PERFORMANCE BY ISSUER/MANAGER**For the Quarter Ended December 31, 2018****Table 3**

Issuer/Manager	Total Market Value ¹			Period Return	Yield (Net) ²
	12/31/18	9/30/18	Change		
Local Agency Investment Fund	\$12,976,602	\$17,653,293	(\$4,676,691) ³	0.60%	2.44%
Chandler Asset Management	30,262,854	29,928,281	334,573	1.14%	NA
County of San Diego	8,285,000	8,204,000	81,000	0.53%	2.14%
Totals for December 31, 2018	\$51,524,456	\$55,785,574	(\$4,261,118)	0.44% ⁴	

¹ includes accrued interest² annualized³ total include withdrawals of: \$1,200,000 (11/13/18), \$1,600,000 (11/29/18), \$1,000,000 (12/11/18), \$1,000,000 (12/21/18), plus gains or losses⁴ weighted**COMPLIANCE STATEMENT**

All of the City's investments are in compliance with the City's investment policy (City Council Policy No. 203) and the California Government Code (§ 53601 et seq).

FINANCIAL STATEMENT

Realized and unrealized gains for the period, reflected below, were \$184,570. These changes include changes in security market values, gain or loss from the sale of assets, accrued interest, and reinvested interest/earnings.

Table 4

Issuer/Manager	Gain/(Loss)
Chandler Asset Management	\$ 46,944
County of San Diego	40,180
LAIF	97,446
Totals for December 31, 2018	\$ 184,570

The difference between the changes reflected in the previous two tables is attributable to the purchase and sale of securities for which the first of the tables accounts but the second table typically does not (unless an investment is sold before maturity).

STAFF CERTIFICATION

Staff certifies that there are sufficient funds to meet the pool's expenditure requirements.

RECOMMENDATIONS

Accept and file the Investment Report for the quarter ended December 31, 2018.

Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

CITY OF NATIONAL CITY

FINANCE DIRECTOR
1243 NATIONAL CITY BLVD
NATIONAL CITY, CA 91950-4397

www.treasurer.ca.gov/pmia-laif/laif.asp

January 08, 2019

PMIA Average Monthly Yields

Account Number:
98-37-576

Tran Type Definitions

December 2018 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
12/11/2018	12/11/2018	RW	1591781	MARK ROBERTS	-1,000,000.00
12/21/2018	12/21/2018	RW	1592602	MARK ROBERTS	-1,000,000.00

Account Summary

Total Deposit:	0.00	Beginning Balance:	14,891,388.36
Total Withdrawal:	-2,000,000.00	Ending Balance:	12,891,388.36

Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

CITY OF NATIONAL CITY

FINANCE DIRECTOR
1243 NATIONAL CITY BLVD
NATIONAL CITY, CA 91950-4397

www.treasurer.ca.gov/pmia-laif/laif.asp

January 08, 2019

PMIA Average Monthly Yields

Account Number:
98-37-576

Tran Type Definitions

November 2018 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
11/13/2018	11/13/2018	RW	1589944	MARK ROBERTS	-1,200,000.00
11/29/2018	11/29/2018	RW	1590998	MARK ROBERTS	-1,600,000.00

Account Summary

Total Deposit:	0.00	Beginning Balance:	17,691,388.36
Total Withdrawal:	-2,800,000.00	Ending Balance:	14,891,388.36

Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

CITY OF NATIONAL CITY

FINANCE DIRECTOR
1243 NATIONAL CITY BLVD
NATIONAL CITY, CA 91950-4397

www.treasurer.ca.gov/pmia-laif/laif.asp

November 20, 2018

PMIA Average Monthly Yields

Account Number:
98-37-576

Tran Type Definitions

October 2018 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Authorized Caller	Amount
10/15/2018	10/12/2018	QRD	1587814	SYSTEM	116,643.89

Account Summary

Total Deposit:	116,643.89	Beginning Balance:	17,574,744.47
Total Withdrawal:	0.00	Ending Balance:	17,691,388.36



BETTY T. YEE

California State Controller

LOCAL AGENCY INVESTMENT FUND
REMITTANCE ADVICE

Agency Name	NATIONAL CITY
Account Number	98-37-576

As of 01/15/2019, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 12/31/2018.

Earnings Ratio		.00006573663340150
Interest Rate		2.40%
Dollar Day Total	\$	1,482,374,714.66
Quarter End Principal Balance	\$	12,891,388.36
Quarterly Interest Earned	\$	97,446.32



State of California Pooled Money Investment Account Market Valuation 12/31/2018

Description		Carrying Cost Plus Accrued Interest Purch.	Amortized Cost	Fair Value	Accrued Interest
1*	United States Treasury:				
	Bills	\$ 16,494,774,781.04	\$ 16,650,272,651.45	\$ 16,646,254,000.00	NA
	Notes	\$ 26,084,822,813.35	\$ 26,080,601,689.42	\$ 26,027,720,500.00	\$ 95,204,336.00
1*	Federal Agency:				
	SBA	\$ 733,319,305.60	\$ 733,319,305.60	\$ 725,337,181.24	\$ 1,533,321.99
	MBS-REMICs	\$ 25,252,637.32	\$ 25,252,637.32	\$ 25,738,470.69	\$ 117,951.22
	Debentures	\$ 2,067,679,296.33	\$ 2,067,564,886.61	\$ 2,060,749,900.00	\$ 9,201,096.20
	Debentures FR	\$ -	\$ -	\$ -	\$ -
	Debentures CL	\$ 100,000,000.00	\$ 100,000,000.00	\$ 99,761,500.00	\$ 594,375.00
	Discount Notes	\$ 11,645,482,250.14	\$ 11,720,182,916.69	\$ 11,717,455,500.00	NA
1*	Supranational Debentures	\$ 489,261,978.98	\$ 489,261,978.98	\$ 489,012,600.00	\$ 2,258,474.00
1*	Supranational Debentures FR	\$ 150,312,991.24	\$ 150,312,991.24	\$ 150,570,884.05	\$ 793,633.61
2*	CDs and YCDs FR	\$ 525,000,000.00	\$ 525,000,000.00	\$ 525,074,250.00	\$ 1,941,077.42
2*	Bank Notes	\$ 850,000,000.00	\$ 850,000,000.00	\$ 849,554,819.14	\$ 8,304,430.54
2*	CDs and YCDs	\$ 12,900,000,000.00	\$ 12,900,000,000.00	\$ 12,895,987,828.73	\$ 77,810,611.13
2*	Commercial Paper	\$ 5,751,563,722.24	\$ 5,773,027,569.44	\$ 5,772,338,388.88	NA
1*	Corporate:				
	Bonds FR	\$ -	\$ -	\$ -	\$ -
	Bonds	\$ -	\$ -	\$ -	\$ -
1*	Repurchase Agreements	\$ -	\$ -	\$ -	\$ -
1*	Reverse Repurchase	\$ -	\$ -	\$ -	\$ -
	Time Deposits	\$ 4,647,740,000.00	\$ 4,647,740,000.00	\$ 4,647,740,000.00	NA
	AB 55 & GF Loans	\$ 797,898,000.00	\$ 797,898,000.00	\$ 797,898,000.00	NA
	TOTAL	\$ 83,263,107,776.24	\$ 83,510,434,626.75	\$ 83,431,193,822.73	\$ 197,759,307.11

Fair Value Including Accrued Interest

\$ 83,628,953,129.84

* Governmental Accounting Standards Board (GASB) Statement #72

Repurchase Agreements, Time Deposits, AB 55 & General Fund loans, and Reverse Repurchase agreements are carried at portfolio book value (carrying cost).

The value of each participating dollar equals the fair value divided by the amortized cost (**0.999051127**).
As an example: if an agency has an account balance of \$20,000,000.00, then the agency would report its participation in the LAIF valued at **\$19,981,022.54** or \$20,000,000.00 x **0.999051127**.



City of National City - Account #10162

MONTHLY ACCOUNT STATEMENT

DECEMBER 1, 2018 THROUGH DECEMBER 31, 2018

Chandler Team:

For questions about your account, please call (800) 317-4747,
or contact operations@chandlerasset.com

Custodian

Bank of New York Mellon
Lauren Dehner
(904) 645-1918

CHANDLER ASSET MANAGEMENT
chandlerasset.com

Information contained herein is confidential. We urge you to compare this statement to the one you receive from your qualified custodian. Please see Important Disclosures.



PORTFOLIO CHARACTERISTICS

Average Modified Duration	1.73
Average Coupon	1.89%
Average Purchase YTM	2.08%
Average Market YTM	2.69%
Average S&P/Moody Rating	AA+/Aa1
Average Final Maturity	1.95 yrs
Average Life	1.80 yrs

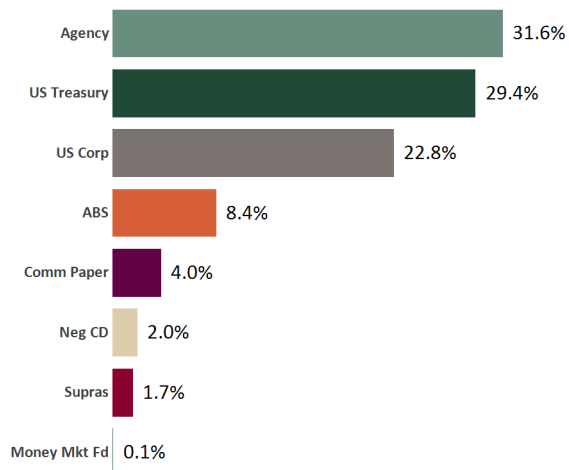
ACCOUNT SUMMARY

	Beg. Values as of 11/30/18	End Values as of 12/31/18
Market Value	29,928,041	30,120,319
Accrued Interest	120,419	142,535
Total Market Value	30,048,460	30,262,854
Income Earned	46,286	46,944
Cont/WD		-2,167
Par	30,453,640	30,484,296
Book Value	30,277,158	30,300,545
Cost Value	30,277,158	30,300,545

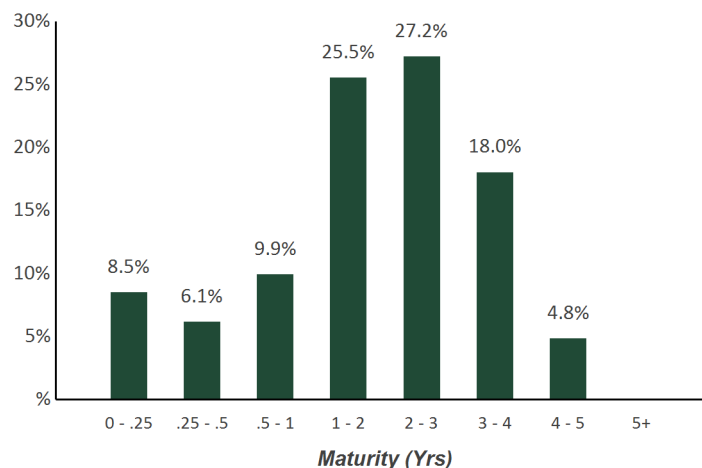
TOP ISSUERS

Government of United States	29.4%
Federal Home Loan Mortgage Corp	13.8%
Federal Home Loan Bank	10.6%
Federal National Mortgage Assoc	5.9%
Berkshire Hathaway	2.6%
Toronto Dominion Holdings	2.0%
MUFG Bank Ltd/NY	2.0%
Toyota Motor Corp	2.0%
Total	68.3%

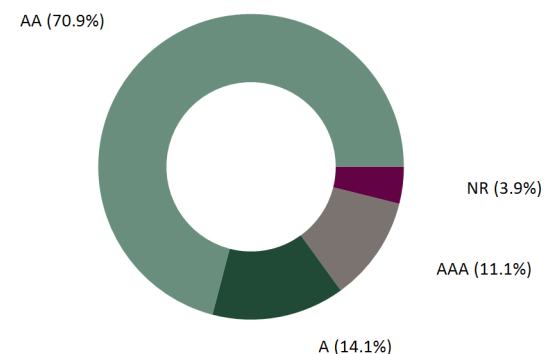
SECTOR ALLOCATION



MATURITY DISTRIBUTION



CREDIT QUALITY (S&P)



PERFORMANCE REVIEW

TOTAL RATE OF RETURN	1M	3M	YTD	1YR	Annualized				2/29/2012
					2YRS	3YRS	5YRS	10YRS	
City of National City	0.72%	1.14%	1.70%	1.70%	1.25%	1.21%	0.97%	N/A	0.84%
ICE BAML 1-3 Yr US Treasury/Agency Index	0.79%	1.29%	1.60%	1.60%	1.02%	0.98%	0.82%	N/A	0.72%
ICE BAML 1-3 Yr US Corp/Govt Rated AAA-A Index	0.78%	1.23%	1.64%	1.64%	1.17%	1.14%	0.96%	N/A	0.91%

Statement of Compliance

As of December 31, 2018



City of National City

Assets managed by Chandler Asset Management are in full compliance with state law and with the City's investment policy.

Category	Standard	Comment
Municipal Securities	BBB rated equivalent by a NRSRO or 4th highest general classification by a NRSRO; 30% maximum	Complies
Treasury Issues	No Limitation	Complies
Agency Issues	No Limitation	Complies
Supranationals	"AA" rated or higher by a NRSRO; 30% maximum; U.S. dollar denominated; Issued by: IBRD, IFC, IADB	Complies
Banker's Acceptances	"A-1" rated or higher by at least two NRSROs; and "A" rated long term debt by two NRSROs; 40% maximum; 180 days max maturity	Complies
Commercial Paper	"A-1" rated or higher by at least two NRSROs; and "A" rated long term debt by two NRSROs; 25% maximum; 270 days max maturity	Complies
FDIC insured Time Deposits/ Certificates of Deposit	Amount per institution limited to the max covered under FDIC; 30% maximum combined certificates of deposit including CDARS	Complies
Negotiable Certificates of Deposit	"A" rated or higher by at least two NRSROs; and/or have short term debt rated "A1" or higher by at least two NRSROs; 30% maximum	Complies
Corporate Medium Term Notes	"A" rated or better by at least two NRSROs; 30% maximum; Issued by corporations organized and operating within the U.S.	Complies
Money Market Mutual Funds	AAA rated or equivalent by at least two NRSROs; 20% maximum; SEC registered with assets under management in excess of \$500 million	Complies
Mortgage Pass-throughs, CMOs and Asset Backed Securities	"AA" rated or better by two NRSROs; "A" rated or higher for the issuer's debt by two NRSROs; 20% maximum	Complies
Local Agency Investment Fund - LAIF	maximum LAIF program; Currently not used by investment adviser	Complies
Prohibited Securities	Inverse floaters; Ranges notes; Interest-only strips from mortgaged backed securities; Zero interest accrual securities; Reverse Repurchase Agreements; Foreign currency denominated sec	Complies
Callable Securities	20% maximum (does not include "make whole call" securities)	Complies
Maximum Issuer	5% max (except US Government, its agencies and enterprises)	Complies
Maximum maturity	5 years	Complies

Reconciliation Summary

As of December 31, 2018



BOOK VALUE RECONCILIATION		
BEGINNING BOOK VALUE		\$30,277,158.34
<u>Acquisition</u>		
+ Security Purchases	\$842,005.86	
+ Money Market Fund Purchases	\$683,096.82	
+ Money Market Contributions	\$0.00	
+ Security Contributions	\$0.00	
+ Security Transfers	\$0.00	
Total Acquisitions		\$1,525,102.68
<u>Dispositions</u>		
- Security Sales	\$0.00	
- Money Market Fund Sales	\$850,989.88	
- MMF Withdrawals	\$2,166.83	
- Security Withdrawals	\$0.00	
- Security Transfers	\$0.00	
- Other Dispositions	\$0.00	
- Maturities	\$550,000.00	
- Calls	\$0.00	
- Principal Paydowns	\$99,284.78	
Total Dispositions		\$1,502,441.49
<u>Amortization/Accretion</u>		
+/- Net Accretion	\$0.00	
		\$0.00
<u>Gain/Loss on Dispositions</u>		
+/- Realized Gain/Loss	\$725.74	
		\$725.74
ENDING BOOK VALUE		\$30,300,545.27

CASH TRANSACTION SUMMARY		
BEGINNING BALANCE		\$191,953.20
<u>Acquisition</u>		
Contributions	\$0.00	
Security Sale Proceeds	\$0.00	
Accrued Interest Received	\$0.00	
Interest Received	\$33,473.60	
Dividend Received	\$338.44	
Principal on Maturities	\$550,000.00	
Interest on Maturities	\$0.00	
Calls/Redemption (Principal)	\$0.00	
Interest from Calls/Redemption	\$0.00	
Principal Paydown	\$99,284.78	
Total Acquisitions	\$683,096.82	
<u>Dispositions</u>		
Withdrawals	\$2,166.83	
Security Purchase	\$842,005.86	
Accrued Interest Paid	\$8,984.02	
Total Dispositions	\$853,156.71	
ENDING BOOK VALUE		\$21,893.31

Income Earned

As of December 31, 2018



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
FIXED INCOME						
02582JHE3	American Express Credit 2017-3 A 1.77% Due 11/15/2022	07/03/2018 07/06/2018 190,000.00	186,318.75 0.00 0.00 186,318.75	149.47 280.25 149.47 280.25	0.00 0.00 0.00 280.25	280.25
02587AAJ3	American Express Credit 2017-1 1.93% Due 09/15/2022	07/16/2018 07/18/2018 300,000.00	295,464.84 0.00 0.00 295,464.84	257.33 482.50 257.33 482.50	0.00 0.00 0.00 482.50	482.50
02665WAZ4	American Honda Finance Note 2.45% Due 09/24/2020	07/11/2017 07/14/2017 400,000.00	405,848.00 0.00 0.00 405,848.00	1,823.89 0.00 2,640.56 816.67	0.00 0.00 0.00 816.67	816.67
037833AQ3	Apple Inc Note 2.1% Due 05/06/2019	Various Various 400,000.00	406,652.60 0.00 0.00 406,652.60	583.33 0.00 1,283.33 700.00	0.00 0.00 0.00 700.00	700.00
06051GEU9	Bank of America Corp Note 3.3% Due 01/11/2023	12/27/2018 12/31/2018 400,000.00	0.00 393,500.00 0.00 393,500.00	0.00 (6,233.33) 6,233.33 0.00	0.00 0.00 0.00 0.00	0.00
06406RAA5	Bank of NY Mellon Corp Callable Note Cont 1/7/2022 2.6% Due 02/07/2022	08/14/2018 08/16/2018 400,000.00	392,152.00 0.00 0.00 392,152.00	3,293.33 0.00 4,160.00 866.67	0.00 0.00 0.00 866.67	866.67
084664CG4	Berkshire Hathaway Note 1.7% Due 03/15/2019	10/17/2018 10/19/2018 500,000.00	498,295.00 0.00 0.00 498,295.00	1,794.44 0.00 2,502.78 708.34	0.00 0.00 0.00 708.34	708.34
084670BL1	Berkshire Hathaway Note 2.1% Due 08/14/2019	01/26/2017 01/31/2017 285,000.00	287,815.80 0.00 0.00 287,815.80	1,778.88 0.00 2,277.63 498.75	0.00 0.00 0.00 498.75	498.75
161571HF4	Chase CHAIT 2016-A5 1.27% Due 07/15/2021	05/23/2018 05/25/2018 550,000.00	541,384.77 0.00 0.00 541,384.77	310.44 582.08 310.44 582.08	0.00 0.00 0.00 582.08	582.08

Income Earned

As of December 31, 2018



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
166764AR1	Chevron Corp Callable Note Cont 2/3/2020 1.961% Due 03/03/2020	12/13/2017 12/15/2017 400,000.00	399,064.00 0.00 0.00 399,064.00	1,917.42 0.00 2,571.09 653.67	0.00 0.00 0.00 653.67	653.67
22160KAJ4	Costco Wholesale Corp Note 2.15% Due 05/18/2021	07/25/2017 07/28/2017 400,000.00	401,208.00 0.00 0.00 401,208.00	310.56 0.00 1,027.22 716.66	0.00 0.00 0.00 716.66	716.66
3130A7CV5	FHLB Note 1.375% Due 02/18/2021	10/13/2016 10/14/2016 490,000.00	490,960.40 0.00 0.00 490,960.40	1,927.67 0.00 2,489.13 561.46	0.00 0.00 0.00 561.46	561.46
3130AABG2	FHLB Note 1.875% Due 11/29/2021	03/08/2017 03/09/2017 565,000.00	559,044.90 0.00 0.00 559,044.90	58.85 0.00 941.67 882.82	0.00 0.00 0.00 882.82	882.82
3133782M2	FHLB Note 1.5% Due 03/08/2019	05/28/2015 05/29/2015 440,000.00	443,207.60 0.00 0.00 443,207.60	1,521.67 0.00 2,071.67 550.00	0.00 0.00 0.00 550.00	550.00
313378WG2	FHLB Note 2.5% Due 03/11/2022	03/13/2018 03/14/2018 600,000.00	596,646.00 0.00 0.00 596,646.00	3,333.33 0.00 4,583.33 1,250.00	0.00 0.00 0.00 1,250.00	1,250.00
313379Q69	FHLB Note 2.125% Due 06/10/2022	06/20/2017 06/21/2017 600,000.00	607,110.00 0.00 0.00 607,110.00	6,056.25 6,375.00 743.75 1,062.50	0.00 0.00 0.00 1,062.50	1,062.50
313380FB8	FHLB Note 1.375% Due 09/13/2019	Various Various 540,000.00	536,816.60 0.00 0.00 536,816.60	1,608.75 0.00 2,227.50 618.75	0.00 0.00 0.00 618.75	618.75
3133EFSJ7	FFCB Note Due 12/14/2018	12/10/2015 12/14/2015 0.00	549,279.50 0.00 549,279.50 0.00	3,316.81 3,575.00 0.00 258.19	0.00 0.00 0.00 258.19	258.19

Income Earned

As of December 31, 2018



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
3133EFW52	FFCB Note 1.15% Due 07/01/2019	04/08/2016 04/11/2016 400,000.00	401,956.00 0.00 0.00 401,956.00	1,916.67 0.00 2,300.00 383.33	0.00 0.00 0.00 383.33	383.33
3135G0D75	FNMA Note 1.5% Due 06/22/2020	12/17/2015 12/21/2015 575,000.00	568,778.50 0.00 0.00 568,778.50	3,809.38 4,312.50 215.63 718.75	0.00 0.00 0.00 718.75	718.75
3135G0N82	FNMA Note 1.25% Due 08/17/2021	01/26/2017 01/31/2017 440,000.00	425,444.80 0.00 0.00 425,444.80	1,588.89 0.00 2,047.22 458.33	0.00 0.00 0.00 458.33	458.33
3135G0T78	FNMA Note 2% Due 10/05/2022	12/12/2017 12/13/2017 500,000.00	494,215.00 0.00 0.00 494,215.00	1,555.56 0.00 2,388.89 833.33	0.00 0.00 0.00 833.33	833.33
3135G0U27	FNMA Note 2.5% Due 04/13/2021	07/23/2018 07/24/2018 300,000.00	297,771.00 0.00 0.00 297,771.00	1,000.00 0.00 1,625.00 625.00	0.00 0.00 0.00 625.00	625.00
3137EADB2	FHLMC Note 2.375% Due 01/13/2022	Various Various 575,000.00	585,310.00 0.00 0.00 585,310.00	5,234.90 0.00 6,372.92 1,138.02	0.00 0.00 0.00 1,138.02	1,138.02
3137EADK2	FHLMC Note 1.25% Due 08/01/2019	05/05/2015 05/06/2015 450,000.00	446,149.35 0.00 0.00 446,149.35	1,875.00 0.00 2,343.75 468.75	0.00 0.00 0.00 468.75	468.75
3137EADM8	FHLMC Note 1.25% Due 10/02/2019	05/05/2015 05/06/2015 450,000.00	444,822.75 0.00 0.00 444,822.75	921.88 0.00 1,390.63 468.75	0.00 0.00 0.00 468.75	468.75
3137EADR7	FHLMC Note 1.375% Due 05/01/2020	08/24/2016 08/25/2016 455,000.00	460,332.60 0.00 0.00 460,332.60	521.35 0.00 1,042.71 521.36	0.00 0.00 0.00 521.36	521.36

Income Earned

As of December 31, 2018



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
3137EAEF2	FHLMC Note 1.375% Due 04/20/2020	04/27/2017 04/28/2017 460,000.00	457,741.40 0.00 0.00 457,741.40	720.35 0.00 1,247.43 527.08	0.00 0.00 0.00 527.08	527.08
3137EAEK1	FHLMC Note 1.875% Due 11/17/2020	01/18/2018 01/19/2018 600,000.00	594,780.00 0.00 0.00 594,780.00	437.50 0.00 1,375.00 937.50	0.00 0.00 0.00 937.50	937.50
3137EAEI9	FHLMC Note 2.375% Due 02/16/2021	03/13/2018 03/14/2018 600,000.00	598,068.00 0.00 0.00 598,068.00	4,156.25 0.00 5,343.75 1,187.50	0.00 0.00 0.00 1,187.50	1,187.50
3137EAEN5	FHLMC Note 2.75% Due 06/19/2023	11/26/2018 11/27/2018 600,000.00	593,214.00 0.00 0.00 593,214.00	7,791.67 8,616.67 550.00 1,375.00	0.00 0.00 0.00 1,375.00	1,375.00
369550BE7	General Dynamics Corp Note 3% Due 05/11/2021	Various Various 400,000.00	397,216.30 0.00 0.00 397,216.30	666.66 0.00 1,666.66 1,000.00	0.00 0.00 0.00 1,000.00	1,000.00
40428HPV8	HSBC USA Inc Note 2.75% Due 08/07/2020	11/16/2017 11/20/2017 290,000.00	293,569.90 0.00 0.00 293,569.90	2,525.42 0.00 3,190.00 664.58	0.00 0.00 0.00 664.58	664.58
43814PAB6	Honda Auto Receivables Owner T 17-3 A2 1.57% Due 01/21/2020	09/25/2017 09/29/2017 44,298.79	55,337.29 0.00 11,042.43 44,294.86	31.38 72.41 25.11 66.14	0.00 0.00 0.00 66.14	66.14
43814UAG4	Honda Auto Receivables 2018-2 A3 3.01% Due 05/18/2022	05/22/2018 05/30/2018 175,000.00	174,996.19 0.00 0.00 174,996.19	190.22 438.96 190.22 438.96	0.00 0.00 0.00 438.96	438.96
43815HAC1	Honda Auto Receivables Owner 2018-3 A3 2.95% Due 08/22/2022	08/21/2018 08/28/2018 255,000.00	254,965.01 0.00 0.00 254,965.01	208.96 626.87 208.96 626.87	0.00 0.00 0.00 626.87	626.87

Income Earned

As of December 31, 2018



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
459200HM6	IBM Corp Note 1.625% Due 05/15/2020	02/07/2018 02/09/2018 400,000.00	392,596.00 0.00 0.00 392,596.00	288.89 0.00 830.56 541.67	0.00 0.00 0.00 541.67	541.67
45950KCM0	International Finance Corp Note 2.25% Due 01/25/2021	01/24/2018 01/26/2018 500,000.00	498,580.00 0.00 0.00 498,580.00	3,937.50 0.00 4,875.00 937.50	0.00 0.00 0.00 937.50	937.50
46625HKA7	JP Morgan Chase Callable Note Cont 12/23/2019 2.25% Due 01/23/2020	08/23/2017 08/28/2017 400,000.00	403,336.00 0.00 0.00 403,336.00	3,200.00 0.00 3,950.00 750.00	0.00 0.00 0.00 750.00	750.00
47788BAB0	John Deere Owner Trust 2017-B A2A 1.59% Due 04/15/2020	07/11/2017 07/18/2017 46,532.82	54,378.28 0.00 7,849.51 46,528.77	38.43 72.06 32.88 66.51	0.00 0.00 0.00 66.51	66.51
47788EAB4	John Deere Owner Trust 2018-B A2 2.83% Due 04/15/2021	07/18/2018 07/25/2018 400,000.00	399,983.60 0.00 0.00 399,983.60	503.11 943.33 503.11 943.33	0.00 0.00 0.00 943.33	943.33
594918BG8	Microsoft Callable Note Cont. 10/03/20 2% Due 11/03/2020	07/11/2017 07/14/2017 270,000.00	270,999.00 0.00 0.00 270,999.00	420.00 0.00 870.00 450.00	0.00 0.00 0.00 450.00	450.00
65478GAB6	Nissan Auto Receivables Owner 2017-B A2A 1.56% Due 05/15/2020	08/16/2017 08/23/2017 179,602.91	211,002.29 0.00 31,406.44 179,595.85	146.30 274.31 124.52 252.53	0.00 0.00 0.00 252.53	252.53
68389XBK0	Oracle Corp Callable Note Cont 8/01/21 1.9% Due 09/15/2021	10/26/2017 10/31/2017 400,000.00	395,816.00 0.00 0.00 395,816.00	1,604.44 0.00 2,237.78 633.34	0.00 0.00 0.00 633.34	633.34
69353RFE3	PNC Bank Callable Note Cont 6/28/2022 2.45% Due 07/28/2022	04/24/2018 04/26/2018 400,000.00	385,792.00 0.00 0.00 385,792.00	3,348.33 0.00 4,165.00 816.67	0.00 0.00 0.00 816.67	816.67

Income Earned

As of December 31, 2018



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
857477AV5	State Street Bank Note 1.95% Due 05/19/2021	07/12/2017 07/17/2017 400,000.00	396,056.00 0.00 0.00 396,056.00	260.00 0.00 910.00 650.00	0.00 0.00 0.00 650.00	650.00
89237RAB4	Toyota Auto Receivable 2017-C A2A 1.58% Due 07/15/2020	07/25/2017 08/02/2017 213,297.44	242,000.90 0.00 28,705.48 213,295.42	169.94 318.64 149.78 298.48	0.00 0.00 0.00 298.48	298.48
89238BAB8	Toyota Auto Receivables Owner 2018-A A2A 2.1% Due 10/15/2020	01/23/2018 01/31/2018 203,670.24	223,925.11 0.00 20,275.68 203,649.43	209.02 391.91 190.09 372.98	0.00 0.00 0.00 372.98	372.98
91159HHL7	US Bancorp Callable Note 1X 12/29/2020 2.35% Due 01/29/2021	07/19/2017 07/24/2017 400,000.00	404,036.00 0.00 0.00 404,036.00	3,185.56 0.00 3,968.89 783.33	0.00 0.00 0.00 783.33	783.33
9128284D9	US Treasury Note 2.5% Due 03/31/2023	12/27/2018 12/28/2018 450,000.00	0.00 448,505.86 0.00 448,505.86	0.00 (2,750.69) 2,874.31 123.62	0.00 0.00 0.00 123.62	123.62
912828G53	US Treasury Note 1.875% Due 11/30/2021	08/28/2017 08/29/2017 600,000.00	604,994.20 0.00 0.00 604,994.20	30.91 0.00 989.01 958.10	0.00 0.00 0.00 958.10	958.10
912828J50	US Treasury Note 1.375% Due 02/29/2020	07/25/2017 07/26/2017 600,000.00	598,408.26 0.00 0.00 598,408.26	2,096.69 0.00 2,803.18 706.49	0.00 0.00 0.00 706.49	706.49
912828L24	US Treasury Note 1.875% Due 08/31/2022	09/06/2018 09/07/2018 450,000.00	435,445.31 0.00 0.00 435,445.31	2,144.34 0.00 2,866.89 722.55	0.00 0.00 0.00 722.55	722.55
912828L32	US Treasury Note 1.375% Due 08/31/2020	Various Various 600,000.00	600,184.82 0.00 0.00 600,184.82	2,096.68 0.00 2,803.18 706.50	0.00 0.00 0.00 706.50	706.50

Income Earned

As of December 31, 2018



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
912828M98	US Treasury Note 1.625% Due 11/30/2020	11/29/2016 11/30/2016 570,000.00	568,331.99 0.00 0.00 568,331.99	25.45 0.00 814.29 788.84	0.00 0.00 0.00 788.84	788.84
912828Q37	US Treasury Note 1.25% Due 03/31/2021	04/27/2017 04/28/2017 375,000.00	369,024.69 0.00 0.00 369,024.69	798.42 0.00 1,197.63 399.21	0.00 0.00 0.00 399.21	399.21
912828Q78	US Treasury Note 1.375% Due 04/30/2021	05/25/2017 05/31/2017 500,000.00	494,650.11 0.00 0.00 494,650.11	588.74 0.00 1,177.49 588.75	0.00 0.00 0.00 588.75	588.75
912828S43	US Treasury Note 0.75% Due 07/15/2019	08/01/2016 08/02/2016 435,000.00	434,780.56 0.00 0.00 434,780.56	1,232.30 0.00 1,507.13 274.83	0.00 0.00 0.00 274.83	274.83
912828S76	US Treasury Note 1.125% Due 07/31/2021	08/28/2018 08/29/2018 600,000.00	573,375.00 0.00 0.00 573,375.00	2,256.11 0.00 2,824.73 568.62	0.00 0.00 0.00 568.62	568.62
912828SD3	US Treasury Note 1.25% Due 01/31/2019	04/29/2015 04/30/2015 400,000.00	401,095.09 0.00 0.00 401,095.09	1,671.20 0.00 2,092.39 421.19	0.00 0.00 0.00 421.19	421.19
912828ST8	US Treasury Note 1.25% Due 04/30/2019	Various Various 450,000.00	449,676.31 0.00 0.00 449,676.31	481.70 0.00 963.40 481.70	0.00 0.00 0.00 481.70	481.70
912828TH3	US Treasury Note 0.875% Due 07/31/2019	03/30/2016 03/31/2016 400,000.00	398,204.46 0.00 0.00 398,204.46	1,169.84 0.00 1,464.67 294.83	0.00 0.00 0.00 294.83	294.83
912828UB4	US Treasury Note 1% Due 11/30/2019	10/29/2015 11/02/2015 450,000.00	443,181.20 0.00 0.00 443,181.20	12.36 0.00 395.60 383.24	0.00 0.00 0.00 383.24	383.24

Income Earned

As of December 31, 2018



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
912828UL2	US Treasury Note 1.375% Due 01/31/2020	12/08/2016 12/09/2016 490,000.00	489,312.58 0.00 0.00 489,312.58	2,251.94 0.00 2,819.50 567.56	0.00 0.00 0.00 567.56	567.56
912828UV0	US Treasury Note 1.125% Due 03/31/2020	Various Various 600,000.00	596,517.64 0.00 0.00 596,517.64	1,149.72 0.00 1,724.59 574.87	0.00 0.00 0.00 574.87	574.87
912828V72	US Treasury Note 1.875% Due 01/31/2022	09/17/2018 09/18/2018 450,000.00	435,744.14 0.00 0.00 435,744.14	2,820.14 0.00 3,530.91 710.77	0.00 0.00 0.00 710.77	710.77
912828W89	US Treasury Note 1.875% Due 03/31/2022	04/26/2018 04/30/2018 600,000.00	580,593.75 0.00 0.00 580,593.75	1,916.21 0.00 2,874.31 958.10	0.00 0.00 0.00 958.10	958.10
931142EJ8	Wal-Mart Stores Note 3.125% Due 06/23/2021	07/02/2018 07/05/2018 400,000.00	402,052.00 0.00 0.00 402,052.00	5,347.22 6,111.11 277.78 1,041.67	0.00 0.00 0.00 1,041.67	1,041.67
			28,296,010.14	110,595.95	0.00	
			842,005.86	24,489.58	0.00	
			648,559.04	128,802.71	0.00	
Total Fixed Income		28,662,402.20	28,489,456.96	42,696.34	42,696.34	42,696.34

CASH & EQUIVALENT

60934N807	Federated Investors Govt Oblig Fund Inst.	Various Various 21,893.31	191,953.20 683,096.82 853,156.71 21,893.31	0.00 338.44 0.00 338.44	0.00 0.00 0.00 338.44	338.44
62479MPK3	MUFG Bank Ltd/NY Discount CP 2.49% Due 02/19/2019	10/15/2018 10/16/2018 600,000.00	594,771.00 0.00 0.00 594,771.00	1,909.00 0.00 3,195.50 1,286.50	0.00 0.00 0.00 1,286.50	1,286.50

Income Earned

As of December 31, 2018



CUSIP	Security Description	Trade Date Settle Date Units	Book Value: Begin Book Value: Acq Book Value: Disp Book Value: End	Prior Accrued Inc. Received Ending Accrued Total Interest	Accr. Of Discount Amort. Of Premium Net Accret/Amort Income Earned	Total Income
89113XX33	Toronto Dominion NY Yankee CD 2.68% Due 05/24/2019	05/23/2018 05/24/2018 250,000.00	250,000.00 0.00 0.00 250,000.00	3,554.72 0.00 4,131.67 576.95	0.00 0.00 0.00 576.95	576.95
89114MCK1	Toronto Dominion Bank Yankee CD 2.57% Due 05/24/2019	08/23/2018 08/24/2018 350,000.00	350,000.00 0.00 0.00 350,000.00	2,473.63 0.00 3,248.19 774.56	0.00 0.00 0.00 774.56	774.56
89233HQ15	Toyota Motor Credit Discount CP 2.46% Due 03/01/2019	10/16/2018 10/16/2018 600,000.00	594,424.00 0.00 0.00 594,424.00	1,886.00 0.00 3,157.00 1,271.00	0.00 0.00 0.00 1,271.00	1,271.00
			1,981,148.20	9,823.35	0.00	
			683,096.82	338.44	0.00	
			853,156.71	13,732.36	0.00	
Total Cash & Equivalent		1,821,893.31	1,811,088.31	4,247.45	4,247.45	4,247.45
			30,277,158.34	120,419.30	0.00	
			1,525,102.68	24,828.02	0.00	
			1,501,715.75	142,535.07	0.00	
TOTAL PORTFOLIO		30,484,295.51	30,300,545.27	46,943.79	46,943.79	46,943.79



COUNTY OF SAN DIEGO INVESTMENT POOL TREASURY INVESTMENT RESULTS

**DEC
2018**

County of San Diego Treasurer-Tax Collector | 1600 Pacific Hwy, San Diego, CA 92101 | www.sdttc.com

PARTICIPANT CASH BALANCES

County of San Diego Pooled Money Fund

As of December 31, 2018

(\$000)

PARTICIPANT	FMV 10/31/18	FMV 11/30/18	FMV 12/31/18	% of Total	PARTICIPANT	FMV 10/31/18	FMV 11/30/18	FMV 12/31/18	% of Total
COUNTY	\$ 934,779	\$ 2,091,378	\$ 2,053,794	20.21%	Lakeside FPD	6,417	6,734	8,281	
COUNTY - SPECIAL TRUST FUNDS	2,150,144	2,133,659	2,503,695	24.63%	Leucadia Wastewater District	4,701	4,708	4,775	
NON-COUNTY INVESTMENT FUNDS	132,279	143,543	111,473	1.10%	Lower Sweetwater FPD	544	539	658	
SCHOOLS - (K THRU 12)	3,434,463	3,203,506	3,859,450	37.97%	Metropolitan Transit System	59,182	59,064	57,528	
					Mission Resource Conservation District	262	258	246	
COMMUNITY COLLEGES					North County Cemetery District	4,728	4,643	4,869	
San Diego	143,186	130,756	175,381	1.73%	North County Dispatch	2,081	2,006	2,836	
Grossmont-Cuyamaca	182,810	174,698	188,149	1.85%	North County FPD	2,912	2,407	3,563	
MiraCosta	105,823	95,678	125,714	1.24%	Otay Water District	253	253	279	
Palomar	245,992	230,672	257,293	2.53%	Pomerado Cemetery District	1,734	1,677	1,843	
Southwestern	214,215	203,381	213,014	2.10%	Public Agencies Self-Insurance System	3,417	3,422	3,463	
Total Community Colleges	892,026	835,185	959,550	9.45%	Ramona Cemetery District	874	858	905	
					Rancho Santa Fe FPD	10,883	9,519	11,868	
FIRST 5 COMMISSION	32,654	34,397	34,741		Rincon del Diablo Municipal Water District	3,569	3,574	3,617	
SANCAL	1,495	1,496	1,544		SANDAG	80,173	80,789	85,172	
SDCERA	601	5,447	5,518		SD County Regional Airport Authority	238,259	241,931	225,814	
					San Diego Housing Commission	20,862	20,894	21,143	
CITIES					San Diego Geographic Information Source	415	517	488	
Chula Vista	76,997	75,822	71,754		San Diego Law Library	3,606	3,593	5,366	
Coronado	33,914	33,966	34,370		San Diego Local Agency Formation Comm	1,875	1,689	1,536	
Del Mar	2,610	2,614	2,646		San Diego Regional Training Center	597	508	677	
Encinitas	3,959	3,965	4,012		San Dieguito River Park	1,624	1,566	1,938	
National City	8,175	8,187	8,285		San Marcos FPD	1	1	1	
					San Miguel Consolidated FPD	8,830	9,112	8,055	
INDEPENDENT AGENCIES					Santa Fe Irrigation District	4,247	4,254	4,304	
Alpine FPD	643	272	1,260		Serra Cooperative Library System	232	232	235	
Bonita-Sunnyside FPD	4,904	4,912	5,556		Upper San Luis Rey Resource Conserv Dist	51	51	54	
Borrego Springs FPD	999	882	1,175		Vallecitos Water District	5,217	5,225	5,287	
Canebrake County Water District	51	52	52		Valley Center FPD	2,072	1,723	2,085	
Deer Springs FPD	10,091	10,055	10,292		Valley Center Cemetery District	390	391	407	
Fallbrook Public Utility District	15	15	15		Valley Center Water District	23,535	22,363	24,725	
Grossmont Healthcare District	2	2	2		Vista FPD	2,740	2,744	2,777	
Julian-Cuyamaca FPD	58	29	158						
Lake Cuyamaca Rec & Park District	175	144	114		Total Voluntary Participants	673,626	679,503	676,285	6.64%
					Pooled Money Fund Total	\$ 8,217,318	\$ 9,086,774	\$ 10,164,248	100.00%

Please see below for the National City December 2018 Pool Report:

National City			Pool YTM: 2.359			
Conversion of Oracle Cash Balance to COSD						
Pool Market Price						
Month Ended December 31, 2018						
			Current Month	Prior Month	Prior Quarter	Prior Year
			12/31/2018	11/30/2018	9/30/2018	12/31/2017
COSD Pool Market Price			99.259%	98.063%	98.985%	98.882%
COSD Pool Market Value			10,164,248,403	9,086,774,387	8,189,772,976	10,732,232,390
National City percentage of MV share in COSD Pool			0.0815%	0.0901%	0.1002%	0.0753%
Fund	Description	Oracle Cash Balance	Market Value	Market Value	Market Value	Market Value
44077	NATIONAL CITY INVESTMENT FUND	8,306,428	8,283,862	8,187,300	8,206,153	8,081,371
	Total for National City	8,306,428	8,283,862	8,187,300	8,206,153	8,081,371

Thanks,

Ann Duong

Senior Accountant

San Diego County Treasurer-Tax Collector's Office

1600 Pacific Highway Rm. 152 | San Diego, CA 92101

Phone: 619.531.5109 | Fax: 619.446.8222 | www.sdttc.com



Please see below for the National City November 2018 Pool Report:						
National City					Pool YTM:	2.25
Conversion of Oracle Cash Balance to COSD Pool Market Price						
Month Ended November 30, 2018			Current Month	Prior Month	Prior Quarter	Prior Year
			11/30/2018	10/31/2018	8/31/2018	11/30/2017
	COSD Pool Market Price		98.06%	98.94%	99.13%	99.04%
	COSD Pool Market Value		9,086,774,387	8,217,317,656	8,288,955,691	9,089,694,484
	National City percentage of MV share in COSD Pool		0.09%	0.10%	0.10%	0.09%
Fund	Description	Oracle Cash Balance	Market Value	Market Value	Market Value	Market Value
44077	NATIONAL CITY INVESTMENT FUND	8,274,635	8,187,300	8,174,889	8,173,108	8,089,240
	Total for National City	8,274,635	8,187,300	8,174,889	8,173,108	8,089,240
<i>* Please note that the National City Market Value reported above is a prorate share of National City in the COSD Investment Pool and based on National City Cash Balance.</i>						
Happy New Year!						
Ann Duong						
Senior Accountant						
San Diego County Treasurer-Tax Collector's Office						
1600 Pacific Highway Rm. 152 San Diego, CA 92101						
Phone: 619.531.5109 Fax: 619.446.8222 www.sdttc.com						

National City

Pool YTM: 2.123

**Conversion of Oracle Cash Balance
to COSD Pool Market Price
Month Ended October
31, 2018**

	Current Month 10/31/2018	Prior Month 9/30/2018	Prior Quarter 7/31/2018	Prior Year 10/31/2017
COSD Pool Market Price	98.943%	98.985%	99.129%	99.478%
COSD Pool Market Value	8,217,317,656	8,189,772,976	9,058,146,770	7,707,719,217
National City percentage of MV share in COSD Pool	0.099%	0.100%	0.090%	0.105%

Fund	Description	Oracle Cash Balance	Market Value	Market Value	Market Value	Market Value
44077	NATIONAL CITY INVESTMENT FUND	8,274,635	8,174,889	8,203,865	8,172,863	8,076,235
	Total for National City	8,274,635	8,174,889	8,169,013	8,185,787	8,077,908

Thanks,

Ann Duong

Senior Accountant

San Diego County Treasurer-Tax Collector's Office

1600 Pacific Highway Rm. 102 | San Diego, CA 92101

Phone: 619.531.5109 | Fax: 619.446.8222 | www.sdtreastax.com

The following page(s) contain the backup material for Agenda Item: [Warrant Register #32 for the period of 01/30/19 through 02/05/19 in the amount of \\$1,614,568.82.](#)
[\(Finance\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #32 for the period of 01/30/19 through 02/05/19 in the amount of \$1,614,568.82.
(Finance)

PREPARED BY: Karla Apalategui, Accounting Assistant

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: 

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 01/30/19 through 02/05/19.

Consistent with Department of Finance's practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Kaiser Foundation HP	340684	190,270.36	Group 104220-0002 Jan 2019
Sweetwater Authority	340720	122,197.78	Harding & Park Imp. Service / Eng
Union Bank of California	392508	52,771.08	General Obligation Refunding Bond

FINANCIAL STATEMENT:

APPROVED: 

FINANCE

ACCOUNT NO.

APPROVED: _____

MIS

Warrant total \$1,614,568.82.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: **INTRODUCTION** ☐ **FINAL ADOPTION** ☐

STAFF RECOMMENDATION:

Ratify warrants totaling \$1,614,568.82

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Warrant Register # 32



WARRANT REGISTER # 32
2/5/2019

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
ALDEMCO	FOOD - NUTRITION CENTER	340658	2/5/19	5,731.86
ALL FRESH PRODUCTS	FOOD - NUTRITION CENTER	340659	2/5/19	1,381.37
BERT W SALAS INC	LAS PALMAS STORM DRAIN REPAIR	340660	2/5/19	8,179.50
BRANDON SOULE	BUILDING FEE REFUND	340661	2/5/19	3,712.00
CAPPO INC	CAPPO 2019 ANNUAL MEMBERSHIP - FIN	340662	2/5/19	130.00
CASTRO, V	TRAINING ADV SUB CAPE/CASTRO	340663	2/5/19	964.40
CLAIMS MANAGEMENT ASSOCIATES	PROFESSIONAL SERVICES	340665	2/5/19	5,400.00
CLF WAREHOUSE INC	MOP 80331 AUTO SUPPLIES - PW	340666	2/5/19	1,037.73
COLANTUONO HIGHSMITH	LIABILITY CLAIM COST	340667	2/5/19	3.91
COUNTY OF SAN DIEGO	CO OF SD SHARE OF PRKG CIT OCT 2018	340668	2/5/19	11,369.50
COUNTY OF SAN DIEGO	CNTY OF SD SHARE PRKG CIT NOV 2018	340669	2/5/19	9,497.50
CPOA	TRAINING TUITION OIS VILLARIASA / PD	340670	2/5/19	226.00
CSMFO	INTERN GOV ACCT TRAINING - FIN	340671	2/5/19	300.00
CULLIGAN OF SAN DIEGO	WATER SOFTENER - NUTRITION	340673	2/5/19	212.50
DELTA DENTAL	GROUP 05-0908600000 FEB 2019	340674	2/5/19	15,455.50
DELTA DENTAL	GROUP 05-0908601002 JAN 2019	340675	2/5/19	135.66
DELTA DENTAL INSURANCE CO	GROUP 05-7029600000 FEB 2019	340676	2/5/19	2,791.47
FLORES, I	REFUND FOR OVERPAID BUSINESS TAX, ACCT 1	340677	2/5/19	24.00
GEORGE H WATERS NUTRITION CTR	NEIGHBORHOOD COUNCIL BREAKFAST/SEPT 18'	340678	2/5/19	1,700.00
GRAINGER	MOP 65179 GENERAL SUPPLIES - PW	340679	2/5/19	159.49
HDL COREN & CONE	CONT SVCS PROP TAX JAN-MAR 2019	340680	2/5/19	2,814.24
HEALTH NET	GROUP N7176F FEBRUARY 2019	340681	2/5/19	1,598.46
HEALTH NET	GROUP N7176F JANUARY 2019	340682	2/5/19	1,522.34
HOME DEPOT CREDIT SERVICES	GENERAL SUPPLIES NEEDED FOR BUILDING	340683	2/5/19	488.48
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-0002 JAN 2019	340684	2/5/19	190,270.36
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-01, 06, 07 JAN 2019	340685	2/5/19	22,029.10
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-03, 09 JAN 2019	340686	2/5/19	5,084.26
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-05 JAN 2019	340687	2/5/19	3,528.46
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-05 FEB 2019	340688	2/5/19	3,303.14
KAISER FOUNDATION HEALTH PLANS	GROUP 104220-7002 JAN 2019	340689	2/5/19	1,670.13
LA MICHOCANA NEVERIA LLC	BUILDING FEE REFUND	340690	2/5/19	1,662.15
LUTH AND TURLEY INC.	LIABILITY CLAIM COST	340691	2/5/19	6,287.49
MAZZARELLA & MAZZARELLA LLP	LIABILITY CLAIM COST	340692	2/5/19	2,235.35
MJC CONSTRUCTION	CHANNEL REPAIR ON PLAZA BLVD	340693	2/5/19	24,200.00
NATIONAL CITY CAR WASH	MONTHLY CAR WASH DEC 2018	340694	2/5/19	450.00
NHA ADVISORS LLC	NATIONAL CITY 2019 REBATE CONSULTING	340695	2/5/19	2,500.00
OLIVER PRODUCTS	CONSUMABLES - NUTRITION CENTER	340696	2/5/19	1,982.73
PADRE JANITORIAL SUPPLIES	CONSUMABLES - NUTRITION CENTER	340697	2/5/19	41.33
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	340698	2/5/19	398.29
PENSKE FORD	MOP 49078 AUTO PARTS - PW	340699	2/5/19	619.94
PHILLIPS JR, W	TRAINING REIMB HUMAN TRAFFICKING/PHILLIPS	340700	2/5/19	195.36
PLAINTIFF STEPHEN R MIRANDA	LIABILITY CLAIM COST	340701	2/5/19	40,000.00
POWERSTRIDE BATTERY CO INC	MOP 67839 GENERAL SUPPLIES - PW	340702	2/5/19	1,151.89
PRO-EDGE KNIFE	KNIFE SHARPENING - NUTRITION CTR	340703	2/5/19	46.00
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	340704	2/5/19	645.75
PSYCHOLOGICAL CONSULTING	TUITION FOR REGIONAL POLICE PEER SUPPORT	340705	2/5/19	149.00



WARRANT REGISTER # 32
2/5/2019

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
REGIONAL TRAINING CENTER	TRAINING TUITION SEARCH WARRANT / PD	340706	2/5/19	95.00
RELIANCE STANDARD	GROUP VA1826233 - VC1801146 JAN 2019	340707	2/5/19	3,071.71
RIOS, RAMONA	REIMB - LEAGUE OF CITIES ACADEMY	340708	2/5/19	371.96
SAN DIEGO GAS & ELECTRIC	GAS & ELECTRIC UTILITIES - NUTRITION	340709	2/5/19	1,566.80
SASI	MONTHLY TRUST ACCOUNT FEB 2019	340710	2/5/19	491.50
SDG&E	GAS & ELECTRIC UTILITIES - PW	340711	2/5/19	24,939.53
SEAPORT MEAT COMPANY	FOOD - NUTRITION CENTER	340712	2/5/19	882.12
SITEONE LANDSCAPE SUPPLY LLC	MOP 69277 LANDSCAPE SUPPLIES - PW	340713	2/5/19	261.73
SOUTHERN CALIF TRUCK STOP	MOP 45758 GNRL AUTO SUPPLIES - PW	340714	2/5/19	605.87
SPARKLETTS	WATER SERVICE / COUNCIL	340715	2/5/19	43.38
STAPLES BUSINESS ADVANTAGE	MOP 45704 / OFFICE SUPPLIES / PD	340716	2/5/19	1,537.78
STAPLES BUSINESS ADVANTAGE	MOP 45704 / OFFICE SUPPLIES / COUNCIL	340717	2/5/19	368.45
SUPERIOR READY MIX CONCRETE LP	444 RACHAEL AVE N C - T&A 90267	340718	2/5/19	613.46
SWEETWATER AUTHORITY	FACILITIES DIVISION WATER UTILITIES	340719	2/5/19	571.42
SWEETWATER AUTHORITY	HARDING & PARK IMP. SERVICE / ENG	340720	2/5/19	122,197.78
SYSCO SAN DIEGO INC	FOOD - NUTRITION CENTER	340721	2/5/19	6,233.25
THE LINCOLN NATIONAL LIFE INS	GROUP 415491 FEBRUARY 2019	340722	2/5/19	9,476.79
THE SHERWIN WILLIAMS CO	MOP 77816 PAINTING SUPPLIES - PW	340723	2/5/19	123.43
TODD PIPE & SUPPLY LLC	CITY WIDE PLUMBING MATERIALS - PW	340724	2/5/19	3,503.96
UNITED ROTARY BRUSH CORP	MOP 62883 ST SWEEPER REPAIR - PW	340725	2/5/19	305.22
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 FACILITY SUPPLIES - PW	340726	2/5/19	303.98
WESTFLEX INDUSTRIAL	MOP 63850 AUTO SUPPLIES - PW	340727	2/5/19	216.30
WETMORES	MOP 80333 AUTO SUPPLIES - PW	340728	2/5/19	17.81
WHILLOCK CONTRACTING	PORTION OF CONTRACT - RETENTION	340729	2/5/19	18,424.54
WILLY'S ELECTRONIC SUPPLY	MOP 80333 AUTO SUPPLIES - PW	340730	2/5/19	24.04
ZAMUDIO, MARA	REFUND FOR OVERPAID BUSINESS TAX, ACCT 1	340731	2/5/19	30.00

A/P Total 579,564.45

WIRED PAYMENTS

CITY NATIONAL BANK	LEASE PAYMENT #35 ENERGY PROJECT	383967	2/1/19	43,101.10
UNION BANK OF CALIFORNIA	GENERAL OBLIGATION REFUNDING BONDS	392508	1/31/19	52,771.08

SECTION 8 HAPS

<u>Start Date</u>	<u>End Date</u>	
1/30/2019	2/5/2019	939,132.19

GRAND TOTAL **\$ 1,614,568.82**

Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



MARK ROBERTS, DIRECTOR OF FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

ALEJANDRA SOTELO-SOLIS, MAYOR-CHAIRWOMAN

RONALD J. MORRISON, VICE-MAYOR

JERRY CANO, COUNCILMEMBER

GONZALO QUINTERO, COUNCILMEMBER

MONA RIOS, COUNCILMEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 19TH OF MARCH 2019.

AYES_____

NAYS_____

ABSENT_____

The following page(s) contain the backup material for Agenda Item: [Warrant Register #33 for the period of 02/06/19 through 02/12/19 in the amount of \\$2,076,835.43.](#)
[\(Finance\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.:

ITEM TITLE:

Warrant Register #33 for the period of 02/06/19 through 02/12/19 in the amount of \$2,076,835.43.
(Finance)

PREPARED BY: Karla Apalategui, Accounting Assistant

DEPARTMENT: Finance

PHONE: 619-336-4572

APPROVED BY: 

EXPLANATION:

Per Government Section Code 37208, attached are the warrants issued for the period of 02/06/19 through 02/12/19.

Consistent with Department of Finance's practice, listed below are all payments above \$50,000.

<u>Vendor</u>	<u>Check/Wire</u>	<u>Amount</u>	<u>Explanation</u>
Whillock Contracting	340758	67,735.00	Paradise Creek Park Site
Ameresco Inc	340767	245,204.11	Energy Service Dec 2018
Project Professionals Corp	340813	77,718.28	Paradise Creek Park III
Public Emp Ret System	2072019	236,862.44	Service Period 01/01/019-01/14/19

FINANCIAL STATEMENT:

APPROVED: 

FINANCE

ACCOUNT NO.

APPROVED: _____

MIS

Warrant total \$2,076,835.43.

ENVIRONMENTAL REVIEW:

This is not a project and, therefore, not subject to environmental review.

ORDINANCE: INTRODUCTION ☐ FINAL ADOPTION ☐

STAFF RECOMMENDATION:

Ratify warrants totaling \$2,076,835.43

BOARD / COMMISSION RECOMMENDATION:

ATTACHMENTS:

Warrant Register # 33



WARRANT REGISTER # 33
2/12/2019

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
AGUIRRE, C	REIMB TO C.A. FOR ECON ROUNDTABLE	340732	2/12/19	21.99
ANDALON, FELIPE	REFUND FOR OVERPAID BUSINESS TAX, ACCT 9	340733	2/12/19	80.00
BOGARIN, GRISELDA	REFUND FOR OVERPAID BUSINESS TAX, ACCT 1	340734	2/12/19	24.00
CALIFORNIA PARK & REC	CPRS MEMBERSHIP RENEWAL / CSD	340735	2/12/19	290.00
CHAVEZ, PEOPOLDO	REFUND FOR OVERPAID BUSINESS TAX, ACCT 1	340736	2/12/19	30.00
CHRISTENSEN & SPATH LLP	CHRISTEN & SPATH KIMBALL MORGAN/HED	340737	2/12/19	3,206.25
CHRISTENSEN & SPATH LLP	CHRSTNSN & SPTH HABITAT /HED	340738	2/12/19	5,850.00
CORREO, MARIO	REFUND FOR OVERPAID BUSINESS TAX, ACCT 6	340739	2/12/19	40.00
DSA SAN DIEGO	EUCLID AVE. PROJECT	340740	2/12/19	11,523.40
DUARTE DE TORRES, GRACIELA	REFUND FOR OVERPAID BUSINESS TAX, ACCT 1	340741	2/12/19	30.00
ESPINA, EDDY	REFUND FOR OVERPAID BUSINESS TAX, ACCT 1	340742	2/12/19	30.00
HERNANDEZ, MARISOL	REFUND FOR OVERPAID BUSINESS TAX, ACCT 9	340743	2/12/19	90.00
KEMPER, SYLVIA	REFUND FOR OVERPAID BUSINESS TAX, ACCT 9	340744	2/12/19	30.00
LASER SAVER INC	MOP 45725. INK CARTRIDGES / MIS	340745	2/12/19	434.89
LIEU, C	REIMBURSEMENT TO CINDY LIEU FOR THE	340746	2/12/19	84.19
PORTILLO CONCRETE INC	EMERGENCY SEWER REPAIR	340747	2/12/19	36,100.00
RAULSTON, B	MILEAGE REIMBURSEMENT - PARKING CONF.	340748	2/12/19	153.36
SAN DIEGO UNION TRIBUNE	UT LEGAL NOTICE/ HED	340749	2/12/19	650.99
SMART & FINAL	MOP 45756 SUPPLIES FOR EVENTS/LIBRARY	340750	2/12/19	104.46
STAPLES BUSINESS ADVANTAGE	MOP 45704. OFFICE SUPPLIES / PW	340751	2/12/19	65.28
THE STAR NEWS	STAR NEWS - PUBLIC NOTICE	340752	2/12/19	102.50
TORRES, EDITH	REFUND FOR OVERPAID BUSINESS TAX, ACCT 8	340753	2/12/19	36.00
U S BANK	US BANK CREDIT CARD SERVICES	340754	2/12/19	3,450.61
UNITED PARCEL SERVICE	SHIPPING SERVICES / PD	340755	2/12/19	19.25
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 PLUMBING SUPPLIES PW	340756	2/12/19	173.65
VISTA PAINT	MOP 68834 PAINT PW	340757	2/12/19	74.77
WHILLOCK CONTRACTING	PARADISE CREEK PARK SITE	340758	2/12/19	67,735.00
24 HOUR ELEVATOR INC	CITY WIDE ELEVATOR SVC AND REPAIR	340759	2/12/19	360.00
ABACOR INC	REPLACEMENT DUMP TAILGATE	340760	2/12/19	622.44
AETNA BEHAVIORAL HEALTH	EMPLOYEE ASSISTANCE PROGRAM - FEBRUARY	340761	2/12/19	1,081.16
AIR POLLUTION CONTROL DISTRICT	MORGAN TOWERS	340762	2/12/19	901.00
ALDEMCO	FOOD - NUTRITION CENTER	340763	2/12/19	4,148.82
ALL FRESH PRODUCTS	FOOD - NUTRITION CENTER	340764	2/12/19	47.99
ALPHA PROJECT FOR THE HOMELESS	ALPHA PROJECT/ HOMELESS/ SEPT	340765	2/12/19	11,539.22
ALTA LANGUAGE SERVICES INC	EMPLOYEE BILINGUAL TESTING	340766	2/12/19	180.00
AMERESCO INC	ENERGY SERVICES DEC. 2018	340767	2/12/19	245,204.11
CALIFORNIA COMMERCIAL SECURITY	ELECTRON DOOR LOCK INSTALLATION	340768	2/12/19	681.91
CALIFORNIA ELECTRIC SUPPLY	MOP 45754 GENERAL SUPPLIES - PW	340769	2/12/19	252.54
CASAS, LAURA	MEETING TRANSLATION JAN 22,29, 2019	340770	2/12/19	425.00
CHICAGO TITLE COMPANY	140 W. 18TH ST.	340771	2/12/19	500.00
CIRCULATE SAN DIEGO	ACTIVE TRANSPORTATION PLANNING	340772	2/12/19	8,620.26
CITY OF SAN DIEGO	CITATION CITY OF SAN DIEGO	340773	2/12/19	75.00
CLEAN HARBORS ENVIRONMENTAL	HAZARDOUS WASTE SERVICE	340774	2/12/19	1,219.46
CLF WAREHOUSE INC	MOP 80331 AUTO SUPPLIES - PW	340775	2/12/19	442.65
CONCENTRA MEDICAL CENTERS	DOT PHYSICAL RECERTIFICATION	340776	2/12/19	100.00
CUMMINS, A	REIMB: CUMMINS UNIFORM PANTS / PD	340777	2/12/19	57.20
CWEA MEMBERSHIP	ANNUAL MEMBERSHIP RENEWAL	340778	2/12/19	188.00
CYNTHIA TITGEN CONSULTING INC	WORKERS' COMPENSATION CONSULTING - JAN	340779	2/12/19	1,552.50



WARRANT REGISTER # 33
2/12/2019

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
DANIELS TIRE SERVICE	MOP 76986 TIRES FOR CITY FLEET - PW	340780	2/12/19	7,085.97
DAY WIRELESS SYSTEMS	COMMS EQUIP SERVICE	340781	2/12/19	665.75
DEPARTMENT OF TRANSPORTATION	SIGNALS & LIGHTING OCT THRU DEC 2018	340782	2/12/19	10,212.19
D-MAX ENGINEERING	T&A#90204 PLAZA DEL REY	340783	2/12/19	10,753.32
DUNBAR ARMORED INC	ARMORED SERVICES FEB 2019 - FINANCE	340784	2/12/19	271.28
ENSAFE INC	REMEDIATION SVCS THRU DEC 2018	340785	2/12/19	16,964.08
FEDEX	MAILING SERVICES / GRANTS	340786	2/12/19	43.14
GEORGE WATERS NUTRITION CENTER	SPECIAL EVENT FAREWELL - COMM SVCS	340787	2/12/19	150.00
GRAINGER	MOP 65179, FIRE CHARGES	340788	2/12/19	387.09
HOME DEPOT CREDIT SERVICES	GENERAL SUPPLIES FOR PW	340789	2/12/19	722.03
HUTCHINSON, C	MILEAGE REIMBURSEMENT	340790	2/12/19	29.57
INNOVATIVE CONSTRUCTION	ALLEY SEWER REPAIR	340791	2/12/19	6,383.00
KIMLEY HORN	EL TOYON LAS PALMAS	340792	2/12/19	24,891.66
KTUA	INTRA-CONNECT PROJECT- ENG	340793	2/12/19	15,115.00
LEAGUE OF CALIFORNIA CITIES	MEMBERSHIP DUES FOR CAL YEAR 2019	340794	2/12/19	19,662.00
LIEBERT CASSIDY WHITMORE	PERSONNEL MATTER	340795	2/12/19	96.00
LOPEZ, J	MILEAGE REIMBURSEMENT	340796	2/12/19	44.54
LOPEZ, TERESA YOLANDA	COUNCIL MEETING TRANSLATION 01/22/19	340797	2/12/19	720.00
MANAGEMENT PARTNERS	MANAGEMENT PARTNERS - CODE ENFORCEMENT	340798	2/12/19	13,417.50
MICHAEL BAKER INTERNATIONAL	WORK COMP DEC 2018 LAS PALMAS PARK	340799	2/12/19	2,200.00
MUNOZ, LEAH	REIMBURSEMENT / LEAH M./ COUNCIL	340800	2/12/19	43.58
NATIONAL CITY ROTARY CLUB	3RD QUARTER ROTARY DUES CHIEF RODRIGUEZ	340801	2/12/19	225.00
NERI LANDSCAPE ARCHITECTURE	EL TOYON PARK PROJECT SCOPING	340802	2/12/19	605.40
NV5 INC	HARDING AVE & 21ST ST FINAL DESIGN	340803	2/12/19	26,787.48
O'REILLY AUTO PARTS	MOP 75877 AUTO SUPPLIES - PW	340804	2/12/19	20.10
ORKIN	CITYWIDE ONSITE PEST CONTROL SVCS	340805	2/12/19	957.00
OVERLAND PACIFIC & CUTLER LLC	PARADISE CREEK PARK	340806	2/12/19	2,925.00
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	340807	2/12/19	242.72
PARTS AUTHORITY METRO LLC	MOP 75943 AUTO SUPPLIES - PW	340808	2/12/19	117.56
PERRY FORD	TRANSMISSION LABOR & KEY LABOR	340809	2/12/19	1,067.30
POLICE EXECUTIVE RESEARCH	PERF MEMBERSHIP CAPT / ESPIRITU	340810	2/12/19	200.00
POWERSTRIDE BATTERY CO INC	BATTERY / PW	340811	2/12/19	1,465.46
PRO BUILD COMPANY	MOP 45707, FIRE CHARGES	340812	2/12/19	542.90
PROJECT PROFESSIONALS CORP	PARADISE CREEK PARK III	340813	2/12/19	77,718.28
PRUDENTIAL OVERALL SUPPLY	MOP 45742 LAUNDRY SERVICES - PW	340814	2/12/19	657.98
RANDALL LAMB ASSOCIATES INC	ECM COMM NOV 12 THRU DEC 16, 2018	340815	2/12/19	5,812.50
RELY ENVIRONMENTAL	HAZARDOUS WASTE PICK UP - ENG	340816	2/12/19	862.00
SAN DIEGO COUNTY BAR ASSOC	JOB BOARD - EXECUTIVE ASSISTANT IV	340817	2/12/19	60.00
SAN DIEGO GAS & ELECTRIC	PROPERTY TAXES 2018-2019	340818	2/12/19	2,200.66
SCANNING SERVICE CORPORATION	DOCUMENT SCANNING, BLDG	340819	2/12/19	7,700.00
SDG&E	GAS & ELECTRIC UTILITIES - PW	340820	2/12/19	40,055.41
SDG&E	GAS & ELECTRIC UTILITIES - PW	340821	2/12/19	1,493.43
SEAPORT MEAT COMPANY	FOOD NUTRITION CENTER	340822	2/12/19	1,353.48
SMART & FINAL	MOP 45756 SNACKERS - COMM SVCS	340823	2/12/19	109.49
SMART SOURCE OF CALIFORNIA LLC	MOP 63845 NBRHD COUNCIL MAGNETS	340824	2/12/19	538.32
SOUTH BAY WINDOW & GLASS CO	LIMI SAFETY GLASS / PW	340825	2/12/19	363.55
SOUTHWEST SIGNAL SERVICE	MONTHLY MAINTENANCE - DEC 2018	340826	2/12/19	36,296.62
STAPLES BUSINESS ADVANTAGE	MOP 45742 - OFFICE SUPPLIES / BLDG	340827	2/12/19	1,483.76



WARRANT REGISTER # 33
2/12/2019

<u>PAYEE</u>	<u>DESCRIPTION</u>	<u>CHK NO</u>	<u>DATE</u>	<u>AMOUNT</u>
STILES, J	EDUCATION REIMBURSEMENT	340828	2/12/19	607.50
SUPERIOR READY MIX	ST ASPHALT COLD MIX JAN 08, 2019	340829	2/12/19	2,075.13
SWEETWATER AUTHORITY	FACILITIES DIVISION WATER UTILITIES	340831	2/12/19	21,781.56
SYSCO SAN DIEGO INC	FOOD / NUTRITION CENTER	340832	2/12/19	3,488.25
THE BUMPER GUY INC	FRONT BUMPER & GRILLE / PW	340833	2/12/19	721.89
THE SHERWIN WILLIAMS CO	MOP 77816 PAINT SUPPLIES / NSD	340834	2/12/19	87.47
THE SOHAGI LAW GROUP	LEGAL SERVICES - CEQA AND LAND USE	340835	2/12/19	3,650.50
THE STAR NEWS	ADVERTISING NOTICES FEB 01, 2019	340836	2/12/19	709.82
T'S & SIGNS	EMPL STAFF T-SHIRTS - COMM SVCS	340837	2/12/19	382.53
U S BANK	TRAINING POLICE DEPARTMENT	340839	2/12/19	2,922.42
VALLEY INDUSTRIAL SPECIALTIES	MOP 46453 GENERAL SUPPLIES - PW	340840	2/12/19	216.56
VIORA, B	EDUC REIMB INSTRUCTOR 1 - FIRE DPT	340841	2/12/19	350.00
VISTA PAINT	ON-LINE TRAFFIC FAST DRY YELLOW	340842	2/12/19	3,394.75
WETMORES	MOP 80331 AUTO SUPPLIES - PW	340843	2/12/19	84.69
WILLY'S ELECTRONIC SUPPLY	MOP 45763 ELECTRIC SUPPLIES - PW	340844	2/12/19	63.01
MCDANIEL, D	RETIREE HEALTH BENEFITS FEB 2019	340845	2/12/19	290.00
RESCUE TECH 1, INC.	TRAINING MANIKINS / FIRE	340846	2/12/19	1,297.60
A/P Total				792,472.63

WIRED PAYMENTS

PUBLIC EMP RETIREMENT SYSTEM	SERVICE PERIOD 01/01/19 - 01/14/19	2072019	2/7/19	236,862.44
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PAYROLL

Pay period	Start Date	End Date	Check Date	
4	1/29/2019	2/11/2019	2/20/2019	1,047,500.36

GRAND TOTAL

\$2,076,835.43

Certification

IN ACCORDANCE WITH SECTION 37202, 37208, 372059 OF THE GOVERNMENT CODE, WE HEREBY CERTIFY TO THE ACCURACY OF THE DEMANDS LISTED ABOVE AND TO THE AVAILABILITY OF FUNDS FOR THE PAYMENT THEREOF AND FURTHER THAT THE ABOVE CLAIMS AND DEMANDS HAVE BEEN AUDITED AS REQUIRED BY LAW.



MARK ROBERTS, DIRECTOR OF FINANCE

LESLIE DEESE, CITY MANAGER

FINANCE COMMITTEE

ALEJANDRA SOTELO-SOLIS, MAYOR-CHAIRWOMAN

RONALD J. MORRISON, VICE-MAYOR

JERRY CANO, COUNCILMEMBER

GONZALO QUINTERO, COUNCILMEMBER

MONA RIOS, COUNCILMEMBER

I HEREBY CERTIFY THAT THE FOREGOING CLAIMS AND DEMANDS WERE APPROVED AND THE CITY TREASURER IS AUTHORIZED TO ISSUE SAID WARRANTS IN PAYMENT THEREOF BY THE CITY COUNCIL ON THE 19TH OF MARCH 2019.

AYES _____

NAYS _____

ABSENT _____

The following page(s) contain the backup material for Agenda Item: [Public Hearing No. 1 of 2 for the U.S Department of Housing and Urban Development \(HUD\) 2019-2020 Annual Action Plan and the allocation of 2019-2020 HUD entitlement grant funds, program income, and funds remaining from completed projects to Community Development Block Grant \(CDBG\) and HOME Investment Partnerships \(HOME\) Program activities proposed for 2019-2020 Annual Action Plan. \(Housing & Economic Development\)](#)

Please scroll down to view the backup material.

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: March 19, 2019

AGENDA ITEM NO.

ITEM TITLE:

Public Hearing No. 1 of 2 for the U.S Department of Housing and Urban Development (HUD) 2019-2020 Annual Action Plan and the allocation of 2019-2020 HUD entitlement grant funds, program income, and funds remaining from completed projects to Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program activities proposed for 2019-2020 Annual Action Plan.

PREPARED BY: Angelita Palma, Comm. Dev. Specialist II

DEPARTMENT: Housing & Economic Dev. Dept.

PHONE: (619) 336-4219

APPROVED BY: 

EXPLANATION:

In accordance with the federal regulations at 24 CFR, Part 91, the City of National City (City) is required to prepare and submit an Annual Action Plan for its Housing and Community Development Entitlement Programs funded by the U.S. Department of Housing and Urban Development (HUD). The Fifth-Year Action Plan for program year 2019-2020 outlines how the City intends to spend an estimated \$817,539.00 in federal Community Development Block Grant (CDBG) and \$313,035.30 in federal HOME Investment Partnerships (HOME) Program entitlement funds. In addition to the funding sources noted above, the City will reprogram \$26,803.29 in program income and \$23,540.69 remaining from previously completed projects for CDBG as well as reprogram \$131,729.28 in HOME program income received.

A second Public Hearing will be conducted at the regularly scheduled City Council meeting on May 7, 2019 to review public comments received during a 30-day public review period from March 29, 2019 through April 28, 2019, on the draft 2019-2020 Annual Action Plan; and to provide interested persons and community groups with one last opportunity to share their thoughts regarding the Plan and the CDBG and HOME Program activities being proposed for program year 2019-2020. After all public comments have been considered at the Public Hearing on May 7, 2019, the City Council will adopt the Fifth-Year Action Plan.

FINANCIAL STATEMENT:

APPROVED: 

Finance

ACCOUNT NO.

APPROVED:

MIS

Based on previous year allocations we anticipate receiving approximately \$817,539.00 in CDBG and \$313,035.30 in HOME Program funds for FY 2020. In addition, the City will reprogram to FY 2020 \$26,803.29 in program income and \$23,540.69 of CDBG funds from completed projects. The City will also reprogram to FY 2020 \$131,729.28 in HOME program income received.

ENVIRONMENTAL REVIEW:

Not applicable.

ORDINANCE: INTRODUCTION: ☐

FINAL ADOPTION: ☐

STAFF RECOMMENDATION:

Conduct the Public Hearing and approve recommendations for the CDBG and HOME funding allocations from the sources identified in the Financial Statement above.

BOARD / COMMISSION RECOMMENDATION:

Not applicable to this report.

ATTACHMENTS:

Attachment No. 1: FY 2019-2020 Action Plan Funding Recommendations

Attachment No. 2: Notice of Public Hearing

Attachment No. 3: 2015-2019 Overview of Consolidated Plan Priorities and Goals

**FY 2019-2020 City of National City
Community Development Block Grant and HOME Investment Partnerships Program
Action Plan Funding Recommendations**

CDBG Entitlement (Estimated):	\$817,539.00	HOME Entitlement (Estimated):	\$313,035.30
CDBG Program Income 2018:	\$26,803.29	HOME Program Income 2018:	\$131,729.28
CDBG Reallocation:	\$23,540.69	Total HOME funds available:	\$444,764.58
Total CDBG funds available:	\$867,882.98		

#	Applicant Name	Program Name	Activity Request	Minimum Request	FY 2020 Staff Recommendation	FY 2019 Allocation
Community Development Block Grant (CDBG) Program						
Public Service Funds Available: \$122,630.85 (Estimated)						
1	Community Services Department	Casa de Salud Youth Afterschool Program	\$ 50,159.00	\$ 34,000.00	\$ 39,705.85	\$ 34,000.00
2	National City Public Library	Literacy Services Program	\$ 52,000.00	\$ 52,000.00	\$ 52,000.00	\$ 52,000.00
3	Police Department (Sponsoring South Bay Community Services)	NCPD Support Service: Domestic Violence Response Team	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
4	Fire Department (Sponsoring Trauma Intervention Programs of San Diego County, Inc.)	Trauma Intervention Program	\$ 10,925.00	\$ 10,925.00	\$ 10,925.00	\$ -
Public Service Total:			\$ 133,084.00	\$ 116,925.00	\$ 122,630.85	\$ 106,000.00
Non-Public Services Funds Available: \$581,744.33 (Estimated)						
5	Housing & Economic Development	Housing Inspection Program	\$ 101,913.16	\$ 101,913.16	\$ 69,861.83	\$ 114,632.46
6	Fire Department	Fire Station 34 Section 108 Loan Payment FY 2018 - 2019	\$ 511,882.50	\$ 511,882.50	\$ 511,882.50	\$ 483,952.50
		Non-Public Service Total:	\$ 613,795.66	\$ 613,795.66	\$ 581,744.33	\$ 598,584.96
Planning and Administration Funds Available: \$163,507.80 (Estimated)						
8	Housing & Economic Development	CDBG Program Administration	\$ 128,007.80	\$ 128,007.80	\$ 128,007.80	\$ 128,507.80
9	Housing & Economic Development (Sponsoring CSA San Diego County)	Fair Housing and Tenant-Landlord Education	\$ 35,000.00	\$ 35,000.00	\$ 35,500.00	\$ 35,000.00
Planning & Admin Total:			\$ 163,007.80	\$ 163,007.80	\$ 163,507.80	\$ 163,507.80
CDBG Total:			\$ 909,887.46	\$ 893,728.46	\$ 867,882.98	\$ 868,092.76

**FY 2019-2020 City of National City
Community Development Block Grant and HOME Investment Partnerships Program
Action Plan Funding Recommendations**

CDBG Entitlement (Estimated):	\$817,539.00	HOME Entitlement (Estimated):	\$313,035.30
CDBG Program Income 2018:	\$26,803.29	HOME Program Income 2018:	\$131,729.28
CDBG Reallocation:	\$23,540.69	Total HOME funds available:	\$444,764.58
Total CDBG funds available:	\$867,882.98		

#	Applicant Name	Program Name	Activity Request	Minimum Request	FY 2020 Staff Recommendation	FY 2019 Allocation
HOME Investment Partnerships (HOME) Program						
Project Funds Available: \$418,148.50 (Estimated)						
7	Housing & Economic Development (South Bay Community Services)	Tenant Based Rental Assistance	\$ 353,332.82	\$ 353,332.82	\$ 353,332.82	
8	Housing & Economic Development (TBD)	CHDO Set-aside	\$ 46,955.30	\$ 46,955.30	\$ 46,955.30	\$ 52,172.56
Total:			\$ 400,288.12	\$ 400,288.12	\$ 400,288.12	
Planning & Administration Funds Available: \$46,460.94 (Estimated)						
9	Housing & Economic Development	HOME Program Administration	\$ 44,476.46	\$ 44,476.46	\$ 44,476.46	\$ 49,939.11
HOME Total:			\$ 444,764.58	\$ 444,764.58	\$ 444,764.58	\$ 102,111.67

The entitlement award for Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Program is estimated. U.S Department of Housing and Urban Development (HUD) has not released funding allocations for fiscal year (FY) 2019-2020. Staff has proposed funding recommendations of all applications for consideration by City Council. Funding commitments to any activity listed above will depend on the ability to fund the activity with the actual award made to the City by HUD.

When HUD releases the final CDBG entitlement award funds will be applied to the recommended Public Service activities proportionately until fully funded and up to the 15% Public Service cap. Remaining funds will be applied to the Housing Inspection Program and CDBG Planning and Administration activities (20% cap) proportionately. If there is a decrease in the CDBG entitlement award all activities will be decreased proportionately.

If the HOME entitlement award is increased or decreased each HOME activity will be increased or decreased proportionally.

The City Manager will review and accept the final funding commitments as directed by the City Council.



PUBLIC NOTICE

CITY OF NATIONAL CITY

FIRST PUBLIC HEARING FOR THE DRAFT FISCAL YEAR 2019-20 ANNUAL ACTION PLAN

In accordance with the federal regulations at 24 CFR, Part 91, the City of National City (City) is required to prepare and submit an Annual Action Plan for its Housing and Community Development Entitlement Programs funded by the U.S. Department of Housing and Urban Development (HUD). The 2016-2020 Consolidated Plan outlines the City's housing and non-housing community development needs and priorities over five years. The Action Plan for Fiscal Year 2019-2020 (FY 2020) outlines how the City intends to spend approximately \$817,539 in federal Community Development Block Grant (CDBG) and approximately \$313,035 in federal HOME Investment Partnerships (HOME) Program entitlement funds. In addition to the funding sources noted above, the City anticipates reprogramming \$23,540.69 from CDBG activities and allocating program income earned from previous years CDBG and HOME activities to fund activities listed under the proposed FY 2020 Action Plan.

Notice is hereby given that the City Council of the City of National City will hold the first of two Public Hearings on Tuesday, March 19, 2019 at 6:00 p.m. The purpose of the Public Hearing is provide the opportunity for public comment on the recommendations made to City Council for funding of the CDBG and HOME Program activities listed under the FY 2020 Action Plan. The Consolidated Plan is available for review on the City's website www.nationalcityca.gov/cdbg-home. Hardcopies are available at the office of the City Clerk (1243 National City Boulevard, National City, CA 91950) and at the Housing and Economic Development Department (140 E. 12 Street Suite B, National City, CA 91950).

A second Public Hearing will be conducted at the regularly scheduled City Council meeting on May 7, 2019 to review public comments received during a 30-day public review period (March 29 through April 28, 2019) of the draft FY 2020 Annual Action Plan; and to provide interested persons and community groups with one last opportunity to share their thoughts regarding the Plan and the CDBG and HOME Program activities being proposed for FY 2020. After all public comments have been considered at the Public Hearing on May 7, 2019, the City Council will adopt the FY 2020 Action Plan and proposed CDBG and HOME Program funding recommendations.

Public participation is an essential part in the development of the Annual Action Plan. Interested persons and community groups are invited to attend and participate at these hearings. Both Public Hearings will be held at the City of National City, City Hall Council Chambers, located at 1243 National City Boulevard, National City, CA 91950. For more information regarding this process, please contact the Housing & Economic Development Department at (619) 336-4391. Hearing impaired persons please use the CAL Relay Service Number 711.

City facilities are wheelchair accessible. Please contact the City Clerk's Office at (619) 336-4228 to request a disability-related modification or accommodation. Notification 24-hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

Asistencia en Español: Para que le interpreten la información en español, llame al (619) 336-4391.

Leslie Deese, City Manager
City of National City
March 5, 2019

2015-2019 Overview of Consolidated Plan Priorities and Goals

U.S. Department of Housing and Urban Development (HUD) fund the Housing and Community Development entitlement Programs Community Development Block Grant (CDBG) and HOME Investment Partnership (HOME) Programs. A requirement of these programs is a five-year Consolidated Plan. Below is a summary of the priorities and goals identified in the Plan's Needs Assessment Overview.

The City has extensive housing and community development needs. CDBG and HOME funds alone are not adequate to address the numerous of needs identified during the public outreach process and summarized in the Needs Assessment and Market Analysis of this Consolidated Plan. Recognizing the national objectives of the CDBG and HOME programs and specific program regulations, the City intends to use CDBG and HOME funds to coordinate programs, services, and projects to create a decent and suitable living environment to benefit low-moderate income households and those with special needs. Use of CDBG and HOME funds will focus on some of most critical needs in National City, based on the following goals and priority needs:

Goal: Provide Decent and Affordable Housing

- Priority: Conserve and Improve Existing Affordable Housing
 - Assistance to aid in the rehabilitation of single-family and multi-family housing units.
 - Acquisition, with or without rehabilitation of multi-family projects.
 - Conservation of affordable housing at risk of converting to market-rate housing.
- Priority: Provide Homeownership Assistance
 - Assistance to low-moderate income households to achieve homeownership.
 - Assistance to developers for the acquisition and re-sale of housing units to low-moderate income homebuyers.
- Priority: Assist in the Development of Affordable Housing
 - Assistance to developers in the development of affordable housing, including acquisition, land assemblage, construction, conversion, purchase of affordability covenants, or other mechanisms.

Goal: Promote Equal Housing Opportunity

- Priority: Promote Equal Housing Opportunity
 - Promote fair housing services provided by the City's fair housing services provider.
 - Comply with fair housing planning requirements (as identified in the Analysis of Impediments to Fair Housing Choice).

Goal: Support Initiatives that Reduce Homelessness

- Priority: Support Initiatives that Reduce Homelessness
 - Tenant based rental assistance that targets families at risk of homelessness.
 - Participate in the San Diego County Regional Task Force on the Homeless (RTFH) to assess needs and coordinate efforts to address needs.

Goal: Provide Community Facilities and Infrastructure

- Priority: Provide for Community Facilities and Infrastructure
 - Provide for new and improve existing community facilities and infrastructure. These may include, but are not limited to: parks and recreation facilities; fire equipment; facilities prioritized on the City's ADA Transition Plan; community facilities; and public streets, sidewalks, curbs, rights-of-way.
 - Periodically assess the need for and (when determined to be warranted) pursue Section 108 loans for large-scale public improvement and revitalization projects.

Goal: Provide Community and Supportive Services

- Priority: Provide Community and Supportive Services
 - Provide for a variety of community and supportive services, with special emphasis on crime awareness and prevention programs such as code enforcement, services for the homeless, seniors, at-risk youth, the disabled, and other persons with special needs.

The following page(s) contain the backup material for Agenda Item: [Resolution of the City Council of the City of National City: 1\) ratifying the City Managers declaration of emergency for the Valley Road channel slope stabilization and waiving of competitive bidding procedures under emergency conditions consistent with the provisions included in Section 22050 "Emergency Contracting Procedures" of the California Public Contract Code and Section 2.60.230 "Emergency Purchases-Emergency Defined" of the National City Municipal Code; and 2\) approving an increase of \\$80,000 to the General Fund Environmental Compliance Contract Services appropriation through use of General Fund fund balance for completion of the emergency work. \(Engineering/Public Works\)](#)

Please scroll down to view the backup material.

CITY OF NATIONAL CITY, CALIFORNIA COUNCIL AGENDA STATEMENT

MEETING DATE: March 19, 2019

AGENDA ITEM NO.

ITEM TITLE:

Resolution of the City Council of the City of National City, 1) ratifying the City Manager's declaration of emergency for the Valley Road channel slope stabilization and waiving of competitive bidding procedures under emergency conditions consistent with the provisions included in Section 22050 "Emergency Contracting Procedures" of the California Public Contract Code and Section 2.60.230 "Emergency Purchases-Emergency Defined" of the National City Municipal Code; and 2) approving an increase of \$80,000 to the General Fund Environmental Compliance Contract Services appropriation through use of General Fund fund balance for completion of the emergency work.

PREPARED BY: Roberto Yano, Deputy City Engineer

PHONE: 619-336-4383

DEPARTMENT: Engineering/Public Works

APPROVED BY:



EXPLANATION:

See attached.

FINANCIAL STATEMENT:

APPROVED:

 Finance

ACCOUNT NO.

APPROVED:

MIS

001-416-030-299-0000 (Environmental Compliance Contract Services) - \$80,000

This appropriation requires the use of General Fund unassigned fund balance of \$80,000. Approval of this appropriation will increase the fiscal-year-to-date use of General Fund unassigned fund balance from \$5,859,683.38 to \$5,939,683.38.

ENVIRONMENTAL REVIEW:

Categorical Exemption under CEQA Guidelines 15302 (c)

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Adopt Resolution ratifying the City Manager's declaration of emergency for the Valley Road channel slope stabilization and approving an increase of \$80,000 to the General Fund Environmental Compliance Contract Services appropriation through use of General Fund fund balance.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Explanation
2. Emergency Declaration Letter
3. Letter of Verification / Regional General Permit for Emergency Work (U.S. Army Corps of Engineers)
4. Resolution

Explanation

The northeast area of the Valley Road channel that runs between Plaza Bonita Center Way and San Miguel Court has experienced erosion due to high water velocities during major storm events. The City's Engineering and Public Works Department has submitted various resource agency permit applications (i.e. U.S. Army Core of Engineers, Department of Fish and Wildlife, Regional Water Quality Control Board) in an effort to obtain approvals prior to starting construction activities. The permit applications are still being reviewed by the regulatory agencies.

City Public Works staff have been performing periodic inspections of the channel before and after major storm events. During an inspection on February 25, 2019, staff noticed that the south slope had significantly eroded to a point that presents an imminent risk to public safety for several homes located in proximity to the top of the channel slope. On February 28, 2019, based on the recommendation of the City Engineer, the City Manager declared this work as an "emergency," consistent with the provisions included in Section 22050 "Emergency Contracting Procedures" of the California Public Contract Code and Section 2.60.230 "Emergency Purchases-Emergency Defined" of the National City Municipal Code.

Staff subsequently applied for an emergency permit through the U.S. Army Corps of Engineers to stabilize and protect the south slope of the channel. On March 4, 2019, the U.S. Army Corps of Engineers issued a letter of verification authorizing the City of National City to perform emergency repairs in accordance with the terms and conditions of Regional General Permit No. 63.

As required by the letter of verification, emergency repairs must be completed no later than March 18, 2019. Based on quotes received for emergency construction services, staff is requesting an increase of \$80,000 to the General Fund Environmental Compliance Contract Services appropriation (001-416-030-299-0000) through use of General Fund fund balance to complete the emergency work.

Staff also requests that City Council ratify the City Manager's declaration of emergency and waiving of competitive bidding procedures, as provided under emergency contracting procedures.



Engineering & Public Works Department
1243 National City Boulevard, National City, CA 91950
Phone: (619) 336-4380 Fax: (619) 336-4397

February 28, 2019

Leslie Deese, City Manager

**RE: REQUEST FOR EMERGENCY SERVICES – VALLEY ROAD CHANNEL SLOPE
STABILIZATION**

Dear Leslie,

The City of National City has been processing various resource agencies permits (i.e. U.S. Army Corps of Engineers, Department of Fish and Wildlife, Regional Water Quality Control Board) necessary to repair the eroded slope in the Valley Road Channel from Plaza Bonita Center Way to San Miguel Court. This northeast area of channel first suffered erosion because of high velocities of the water during major storm events in February 2017. On February 25, 2019, Don Jasmund, City Street and Wastewater Superintendent, notified our department that the south slope of the channel had further eroded due to recent rain. The erosion now jeopardizes private property south of the slope.

With further rain on the horizon, staff believes that a imminent threat to public health and safety exists. I recommend that you declare this work as an "emergency," consistent with Section 2.60.230 "Emergency Purchases-Emergency Defined" of the National City Municipal Code.

Our department is working with the resource agencies to perform this work under an emergency permit available for these type of situations. One of the City's on-call consultants, Geosyntec Consultants, Inc., is providing a quote for the emergency construction services necessary to stabilize and protect the eroded slope.

Sincerely,

Stephen Manganiello
Director of Public Works/City Engineer

I, Leslie Deese, hereby declare the slope stabilization efforts for the Valley Road channel as emergency work.

Leslie Deese
City Manager

cc: Roberto M. Contreras, Deputy City Attorney



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT
5900 LA PLACE COURT, SUITE 100
CARLSBAD, CA 92008

March 4, 2019

SUBJECT: Regional General Permit Verification

Robert Yano
City of National City
1243 National City Boulevard
National City, California 91950

Dear Mr. Yano:

I am responding to your request (SPL-2019-00177-JDR) for a Department of the Army permit for your proposed project, Valley Road Emergency Channel Repair Project. The proposed project is located at the intersection of Valley Road and San Miguel Court, National City, San Diego County, California (Latitude: 32°39'51.32' N Longitude: 117°3'7.54" W).

Because this project would result in a discharge of fill material into waters of the United States a Department of the Army permit is required pursuant to Section 404 of the Clean Water Act (33 USC 1344; 33 CFR parts 323 and 330).

I have determined construction of your proposed project, if constructed as described in your application, would comply with Regional General Permit (RGP) No 63. Specifically, and as shown in the enclosed figures, you are authorized to:

1. Specifically, and as shown in the attached Figure 1, this verification authorizes the permanent discharge of 33 CY of rock rip-rap and 38 CY of soil into .001 acres (54 square feet) of jurisdictional wetland waters of the U.S., specifically an unnamed tributary to the Sweetwater River, for the purpose of emergency repairs to stabilize the slope of a flood control channel.

For this RGP verification letter to be valid, you must comply with all of the terms and conditions stated in the enclosed copy of the RGP. Furthermore, you must comply with the following non-discretionary Special Conditions:

Special Conditions:

1. The work authorized by this RGP must be underway no later than fourteen (14) calendar days from date of issuance of this letter of verification. All work must be completed no later than March 18, 2019. If the Permittee is unable to complete the authorized work by this date, the Permittee must request, in writing, an extension from the Corps Regulatory Division prior to

the deadline. As noted in General Condition 26 of RGP 63 the Permittee shall provide a written report of activities completed within 45 days of project completion.

2. Within 45 calendar days of completion of authorized work in waters of the U.S., the Permittee shall submit to the Corps Regulatory Division a post-project implementation memorandum including the following information:
 - a) Date(s) work within waters of the U.S. was initiated and completed;
 - b) Summary of compliance status with each special condition of this permit (including any noncompliance that previously occurred or is currently occurring and corrective actions taken or proposed to achieve compliance);
 - c) Color photographs (including map of photo points) taken at the project site before and after construction for those aspects directly associated with permanent impacts to waters of the U.S. such that the extent of authorized fills can be verified;
 - d) One copy of "as built" drawings for the entire project. Electronic submittal (Adobe PDF format) is preferred. All sheets must be signed, dated, and to-scale. If submitting paper copies, sheets must be no larger than 11 x 17 inches; and
 - e) Signed Certification of Compliance (attached as part of this permit package).
3. At the conclusion of the project, all temporary fill shall be removed and the area shall be restored to pre-construction conditions (contours and vegetated condition) to the maximum extent practicable. The Permittee shall hydroseed the disturbed portions of the earthen stream banks with native non-invasive vegetation of facultative upland (FACU) or wetter species, as appropriate. The Permittee shall submit the proposed planting palette for review and approval by the Corps, prior to initiation of construction. The Permittee shall ensure the hydroseeded areas are maintained and monitored for a period of two years after completing the seeding activities, such that less than 10 percent of the areas disturbed by the project are vegetated by non-native and invasive plant species. Monitoring reports shall be submitted by the Permittee to the Corps, by May 15th annually, one and two years following hydroseeding, documenting the recovery of the restored areas.
4. The Permittee shall allow the Corps to inspect the authorized activities at any time deemed necessary to verify compliance with permit terms and conditions.
5. Pursuant to 36 C.F.R. section 800.13, in the event of any discoveries during construction of either human remains, archaeological deposits, or any other type of historic property, the Permittee shall notify the Corps Project Manager for this project (Jonah Reenders at 760-602-4841) and the Corps' Archaeology Staff (Danielle Storey at 213-452-3855 or Meg McDonald at 213-452-3849) within 24 hours. The Permittee shall immediately suspend all work in any area(s) where potential cultural resources are discovered. The Permittee shall not resume construction in the area surrounding the potential cultural resources until the Corps Regulatory Division re-authorizes project construction, per 36 C.F.R. section 800.13

6. All vehicle maintenance, staging, storage, and dispensing of fuel shall occur in designated upland areas. These designated upland areas shall be located in such a manner as to prevent any runoff entering waters of the U.S.
7. No debris, soil, silt, sand, sawdust, rubbish, cement, or concrete washings thereof, oil or petroleum products, from construction shall be allowed to enter into or be placed where it may be washed by rainfall or runoff into waters of the U.S. Therefore, the Permittee shall employ all BMPs necessary to prevent toxic materials, silt, debris, or excessive erosion from entering waters of the U.S. during project construction. Upon completion of the activities authorized by the permit, any excess material or debris shall be removed from the work area and disposed of in an appropriate upland site.

A general permit does not grant any property rights or exclusive privileges. Also, it does not authorize any injury to the property or rights of others or authorize interference with any existing or proposed Federal project. Furthermore, it does not obviate the need to obtain other Federal, State, or local authorizations required by law.

Thank you for participating in the regulatory program. If you have any questions, contact Jonah Reenders at (760) 602-4841 or via e-mail at Jonah.D.Reenders@usace.army.mil. Please help me to evaluate and improve the regulatory experience for others by completing the customer survey form at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey.

Sincerely,

DAHL.KYLE.J.
1273446261

Digitally signed by
DAHL.KYLE.J.1273446261
DN: c=US, o=U.S. Government,
ou=DoD, ou=PKI, ou=USA,
cn=DAHL.KYLE.J.1273446261
Date: 2019.03.06 14:34:08 -08'00'

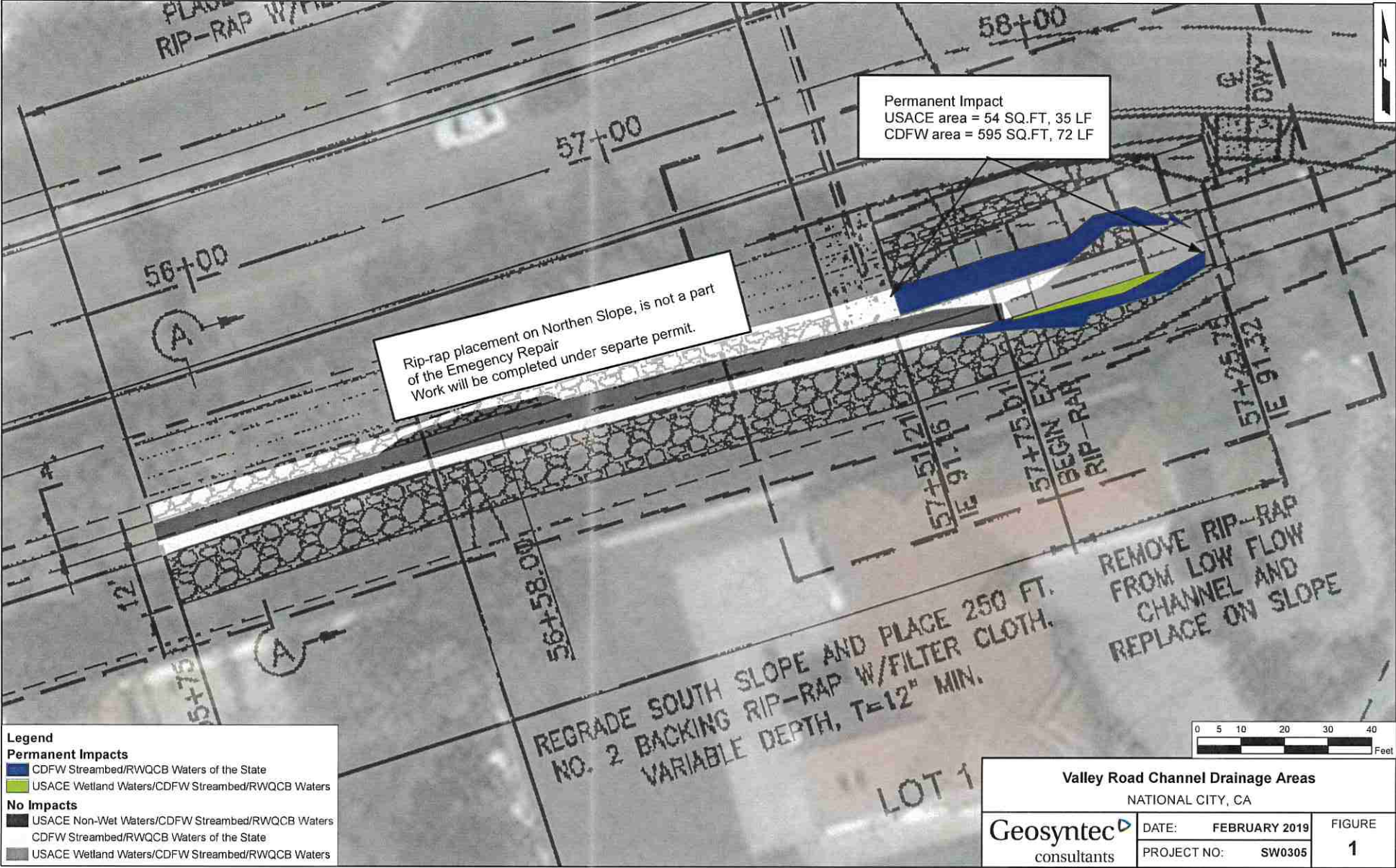
Kyle Dahl
Team Lead
South Coast Branch

Enclosures:

A detailed topographic map of San Diego, California, and its surrounding regions. The map shows the city of San Diego, the San Diego Bay, and the San Diego River. A red star marks the 'Project Site' in the central part of the city. The map includes labels for various landmarks, such as the Naval Air Station, San Diego International Airport, and the San Diego Zoo. It also shows the border between California and Mexico, with Tijuana visible in the south. The map is oriented with North at the top.

171 of 310

Figure 1





Aerial view of emergency slope repair. The channel slope on the south side of the flood control channel has eroded further to the west and south and is threatening to undermine the adjacent private properties. Emergency repairs are required to stabilize the slope prior to further erosion resulting from forecasted rain events.



View to south of portion of eroded channel bank. Bank erosion from recent rain events is threatening to undermine adjacent private properties to the south.

**DEPARTMENT OF THE ARMY REGIONAL GENERAL PERMIT
NUMBER 63 FOR
REPAIR AND PROTECTION ACTIVITIES IN EMERGENCY SITUATIONS**

SPONSOR AND ISSUING OFFICE: U.S. Army Corps of Engineers, Los Angeles District

PERMIT NUMBER: Regional General Permit (RGP) No. 63 (File No. SPL-2018-00038-CLH)

ISSUANCE DATE: NOVEMBER 19, 2018

PERMITTEE: Public agencies, businesses, or private parties (i.e., the public in general)

Note: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: This permit authorizes discharges of dredged or fill material into Waters of the United States, including wetlands, and/or work or structures in Navigable Waters of the United States for necessary repair and protection measures associated with an emergency situation. An "emergency situation" is present where there is a clear, sudden, unexpected, and imminent threat to life or property demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property or essential public services (i.e., a situation that could potentially result in an unacceptable hazard to life or a significant loss of property if corrective action requiring a permit is not undertaken immediately).

Project Location: Within those parts of the State of California subject to regulatory review by this office, including the coastal slopes of San Luis Obispo County, all of Santa Barbara County except for the Carrizo Plain, Ventura, Los Angeles, San Bernardino, Riverside, Orange, San Diego, Imperial and Inyo counties, Mono County to the Conway Summit above Mono Lake, the southern slopes of the Tehachapi Mountains in Kern County, and all of the State of Arizona. In the event of future modifications to District boundaries, this permit would also apply in any areas so revised.

General conditions of this RGP:

1. **Time Period Covered:** This RGP shall expire on November 19, 2023. Authorized activities which have commenced or are under contract to commence prior to this date shall remain authorized provided work within waters of the U.S. is completed within 60 days following expiration of this RGP.

2. **Notification/Communication:**

- a. **Timing:** The applicant must notify the District Engineer (DE) as early as possible and shall not begin the activity until notified by the DE that the activity may proceed under this RGP with any site-specific special conditions imposed by the District or Division Engineer. The Corps recognizes there may be situations where imminent threats to life or property occur and the applicant has not received a notice to proceed from the DE. It is not the intention of this office to imply that one allows such threat to life or property result in actual loss. If one proceeds without such notice from the DE, one must ensure that prior notice of such a unilateral decision to proceed is made to this office by telephone, facsimile, e-mail, delivered written notice or other alternative means.
- b. **Contents of Notification:** The notification should be in writing and include the following information:
 - (1) The name, address, e-mail address and telephone number of the applicant and the designated point of contact and their address, e-mail address and telephone number;
 - (2) The location of the proposed project, including the identification of the waterbody(ies) (this should include a copy of a U.S. Geologic Survey [USGS] topographic map, electronic map images, annotated photographs, Thomas Guide map, or hand-drawn location map with suitable landmarks; the map should have sufficient detail to clearly indicate the location and extent of the project, as well as detailed directions to the site);
 - (3) A brief, but clear, description of the imminent threat to life or property and the proposed project's purpose and need;
 - (4) A description of methods anticipated to be used to rectify the situation ("field engineering" is not an adequate description. It is presumed if one mobilizes material and a particular piece of equipment to a site, then one probably has a fairly well-defined intention for that material and equipment. Photographs, visual renderings of the project, plans, drawings or sketches showing the area to be impacted, cross sections showing details of construction, if appropriate, and a short narrative describing how the work is to be completed should be provided as a minimum); and
 - (5) A brief description of the project area's existing conditions and anticipated environmental impacts resulting from the proposed work (amount of dredge or fill material, acreage of disturbance, removal of significant vegetation, loss of habitat, etc.).
- c. **Form of Notification:** The standard Application for Department of the Army Permit (Form ENG 4345), available from the District's website at https://www.spl.usace.army.mil/Portals/17/docs/regulatory/Permit_Process/engform_4345_2017sept.pdf?ver=2017-10-03-165521-953 may be used as the notification and must include all of the information required in General Condition 2.b. Items (1)-(5) above. A letter, facsimile transmission or electronic mail may also be used. In certain situations where there is an imminent threat to life or property and the applicant is unable to make direct contact with this office, a message shall be left on voice mail or an e-mail message shall be sent.

- d. **Agency Coordination:** Upon receipt of a notification, the DE will immediately provide (i.e., by facsimile transmission, overnight mail, electronic mail or other expeditious manner) a copy to the offices of the Environmental Protection Agency (EPA), the U.S. Fish and Wildlife Service (FWS), the National Marine Fisheries Service (NMFS), the Monterey Bay National Marine Sanctuary, the California Department of Fish and Wildlife (CDFW), the California State Water Resources Control Board (SWRCB), the Arizona Department of Environmental Quality (ADEQ), the Arizona Game and Fish Department, the Navajo Nation, the Hopi Tribe, the Hualapai Tribe, the White Mountain Apache Tribe; the Big Pine Paiute Tribe of Owens Valley, the Bishop Paiute Tribe, and the Twenty-Nine Palms Band of Mission Indians (collectively, "Tribes"), the California Regional Water Quality Control Boards (RWQCB), the California Coastal Commission (CCC), and the State and Tribal Historic Preservation Offices of California or Arizona (SHPO/THPO), as appropriate. These agencies will be requested to provide a response to the Corps Regulatory Branch Project Manager as expeditiously as possible by telephone, facsimile transmission (fax) or e-mail, indicating whether they intend to provide substantive, site-specific comments regarding the proposed project. If notified that comments will be provided by an agency or tribal representative, the DE will allow them to provide their comments in a short timeframe determined by the DE on a case-by-case basis to not likely result in loss of life or property before making a decision on the proposed project.

The DE will fully consider any comments received within the specified timeframe concerning the proposed activity's compliance with the conditions of the agency's authority, the need to impose terms and conditions to avoid and minimize adverse effects on aquatic resources, and the need for mitigation to reduce the project's adverse environmental effects to a minimal level. The DE will indicate the results of that consideration in the administrative record associated with the notification and will provide an informal response to the commenting agency by electronic mail, facsimile transmission or other means.

- e. **Mitigation:** Discharges of dredged or fill material into Waters of the United States must be avoided or minimized to the maximum extent practicable at the project site. Compensation for unavoidable discharge of fill materials may require appropriate mitigation measures. Factors that the DE will consider when determining the suitability of appropriate and practicable mitigation will include, but are not limited to:
- (1) The approximate functions and values of the aquatic resource being impacted, such as habitat value, aquifer recharge, sediment conveyance or retention, flood storage, etc;
 - (2) The permanence of the project's impacts on the resource; and
 - (3) The potential long-term effects of the action on remaining functions and values of the impacted aquatic resource.

To be practicable, the mitigation must be available and capable of being done considering costs, existing technology, and logistics in light of the overall project purposes. Examples of mitigation that may be appropriate and practicable include, but are not limited to: reducing the size of the project; establishing wetland or upland

buffer zones to protect aquatic resource values; replacing the loss of aquatic resource values by creating, restoring, or enhancing similar functions and values; or using bioremediation techniques in conjunction with other methods to offset project impacts. To the extent appropriate, applicants should consider mitigation banking and other forms of mitigation, including contributions to wetland trust funds or in-lieu fees to organizations such as State, county or other governmental or non-governmental natural resource management organizations, where such fees contribute to the restoration, creation, replacement, enhancement, or preservation of aquatic resources.

- f. District Engineer's Decision:** In reviewing the notification for the proposed activity, the DE will determine whether the activity would likely result in more than minimal individual or cumulative adverse environmental effects or may be contrary to the public's interest. The applicant may, as an option, submit a proposed mitigation plan with the notification to expedite the process and the DE will consider any mitigation (See General Condition 2.e. above.) the applicant has included in the proposal in determining whether the net adverse environmental effects for the proposed work are minimal. If the DE determines the activity complies with the terms and conditions of this RGP and the adverse effects are minimal, this office will notify the applicant and include any situation-specific conditions deemed necessary.

If the applicant elects to submit a mitigation plan as part of the proposed project, the DE will expeditiously review the proposed plan also. However, the DE may approve the mitigation proposal after the work is approved and project work has commenced.

If the DE determines the adverse effects of the proposed work are more than minimal, the DE will notify the applicant either:

- (1) That the project does not qualify for authorization under this RGP and instruct the applicant on the procedures to seek authorization under an individual permit or other general permit, or
 - (2) That the project is authorized under this RGP subject to the applicant submitting a mitigation proposal that would reduce the adverse effects to the minimal level.
3. **Authorized Work:** Any work authorized by this RGP must be the minimum necessary to alleviate the immediate emergency, unless complete reconstruction only results in very minor additional impact to aquatic resources and logistical concerns indicate such reconstruction is as expedient considering the condition of the project site and is limited to in-kind replacement or refurbishment. Moderate upgrading would be considered if the applicant wishes to use bioremediation or other environmentally sensitive solutions. The RGP may NOT be used to upgrade an existing structure to current standards when that activity would result in additional adverse effects on aquatic resources, except in very limited circumstances. Such upgrade projects shall be considered separate activities for which other forms of authorization will be required.
- Work not described in permit application documentation but deemed necessary after a field assessment is not authorized unless coordinated with the Regulatory project manager and acknowledged by appropriate means (i.e., e-mail or facsimile transmission,

memo to the record, etc.). These coordinated permit modifications must also be described in sufficient detail in the post-project report (see RGP 63 General Condition 26).

4. **Start Work Date:** Any projects authorized under this RGP must be initiated within fourteen (14) days of receiving authorization to proceed. If the project start time can be delayed for more than two weeks, the imminent threat of impending loss may have diminished in magnitude, as well as immediacy, and generally would not meet the definition of an “emergency.” However, there may be limited circumstances where, after notice to and input by the agencies, logistical considerations necessitate an extension beyond 14 days. Further, this RGP cannot be used to authorize long-planned-for projects, nor shall it be used for projects that are likely to have been known to the applicant but for which an application was not submitted in a timely manner. That is, the Corps and other agencies are not obligated to authorize work for a self-described emergency situation unless we agree that the situation qualifies as an emergency as defined on page 1.
5. **Access to Site:** You must allow representatives from this office and other agencies to inspect the authorized activity at any time deemed necessary to ensure the project is being or has been accomplished in accordance with the terms and conditions of this RGP.
6. **Tribal Rights:** No activity or its operation may impair reserved tribal rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.
7. **Water Quality Certification:** Within Los Angeles District, water quality certifications pursuant to Section 401 of the Clean Water Act are administered by the California State Water Resources Control Board (SWRCB) and the Arizona Department of Environmental Quality (ADEQ) for non-tribal land, the U.S. Environmental Protection Agency for tribal lands of Tribes not treated as States, and seven Native American Tribes that are treated as States for Section 401 water quality certification. Section 401 water quality certification from the USEPA is pending as of the date of this permit. Permittees working on tribal land in Los Angeles District must receive individual Section 401 water quality certification from the EPA or one of the seven Tribes identified on page 3 as appropriate. Conditions of the pending water quality certification from the EPA will be incorporated when issued and the permit modified appropriately.

ARIZONA

The ADEQ issued its certification (401 cert reading file SWGP18:0126) on July 26, 2018. No additional conditions were added.

CALIFORNIA

The SWRCB issued its conditional certification (Water Quality Order No. 2018-0029) on November 8, 2018. As with previous reissuances of the RGP, conditions within issued Section 401 certifications are included within the body of the RGP to facilitate dissemination of information to permittees regarding water quality certifications for work authorized under

RGP 63. The SWRCB's water quality conditions are adopted within this permit as RGP 63 General Conditions.

For California Permittees on Non-tribal Land: The State Water Resources Control Board (SWRCB) issued a conditional Section 401 water quality certification for RGP 63 dated November 08, 2018 for all waters of the United States on non-tribal lands Los Angeles District in the State of California, with the following exception:

The State's certification does not apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to title 23 of the California Code of Regulations subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.

The SWRCB's certification for Regional General Permit No. 63 for Emergency Situations, No. 2018-0029, is contingent on all of the conditions listed below being met, and any discharge from an authorized project being in compliance with applicable provisions of Clean Water Act sections 301 (Effluent Limitations), 302 (Water Quality Related Effluent Limitations), 303 (Water Quality Standards and Implementation Plans), 306 (National Standards of Performance), and 307 (Toxic and Pretreatment Effluent Standards).

Discharges covered under this certification are also regulated pursuant to State Water Board Water Quality Order No. 2003-0017-DWQ which authorizes the State's certification to serve as Waste Discharge Requirements pursuant to the Porter-Cologne Water Quality Control Act. (Wat. Code, § 13000 et seq.)

Except as modified by any of the certification conditions below, all certification actions are contingent on (a) the discharge being limited and all proposed mitigation being completed in strict compliance with the conditions of the certification and the attachments to the certification, and (b) compliance with all applicable requirements of Statewide Water Quality Control Plans and Policies and the Regional Water Boards' Water Quality Control Plans and Policies.

Regional Water Quality Control Plan Information

Individual projects authorized under this Order may be located within the jurisdiction of Central Valley, Colorado River Basin, Lahontan, Los Angeles, San Diego and Santa Ana Regional Water Quality Control Boards (collectively Regional Water Boards). Receiving waters and groundwater potentially impacted by individual projects authorized under this Order are protected in accordance with the applicable water quality control plans (Basin Plan) for the regions and other plans and policies which may be accessed online at: http://www.waterboards.ca.gov/plans_policies/. The Basin Plans include water quality standards, which consist of existing and potential beneficial uses of waters of the state, water quality objectives to protect those uses, and the state and federal antidegradation policies.

Dischargers must identify the receiving waters, as listed in the applicable Basin Plan, that would be impacted by a proposed project. This information must be included in the Notice of Intent (NOI; Attachment D).

A. Standard Conditions

- 1. This Certification action is subject to modification or revocation upon administrative or judicial review, including review and amendment pursuant to section 13330 of the California Water Code and section 3867 of title 23 of the California Code of Regulations.*
- 2. This Certification action is not intended and must not be construed to apply to any discharge from any activity involving a hydroelectric facility requiring a Federal Energy Regulatory Commission (FERC) license or an amendment to a FERC license unless the pertinent Certification application was filed pursuant to title 23 of the California Code of Regulations subsection 3855(b) and the application specifically identified that a FERC license or amendment to a FERC license for a hydroelectric facility was being sought.*
- 3. This Certification is conditioned upon full payment of any fee required under California Code of Regulations, chapter 28, title 23, and owed by the Applicant.*
- 4. In the event of any violation or threatened violation of the conditions of this order, the violation or threatened violation shall be subject to any remedies, penalties, process, or sanctions as provided for under state and federal law. For purposes of Clean Water Act, section 401 (d), the applicability of any state law authorizing remedies, penalties, processes, or sanctions for the violation or threatened violation constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements incorporated into this order.*

B. General Conditions

- 1. This Certification is limited to emergency actions that meet the California Environmental Quality Act (CEQA) (Public Resources Code, § 21000 et seq.) definition of an “emergency,” which is defined as follows:*

A sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movement, as well as such occurrences as riot, accident, or sabotage. (Pub. Resources Code, § 21060.3.)

Emergency actions must meet the above definition of “emergency” and demonstrate an imminent threat to qualify for this Certification. For actions that do not qualify for enrollment under this Certification, the discharger (i.e. the person or entity proposing to conduct actions which may result in a discharge to a water of the state) must contact either the State Water Board or the applicable Regional Water Board to apply for an individual water quality certification.

2. *This Certification is limited to emergency actions that satisfy one or more of the following exemption criteria as defined by the CEQA Guidelines (Cal. Code Regs., tit. 14, § 15269.):*
 - a. *Projects to maintain, repair, restore, demolish, or replace property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with section 8550 of the Government Code.*
 - b. *Emergency repairs to publicly or privately owned service facilities necessary to maintain service essential to the public health, safety, or welfare.*
 - c. *Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term.*
 - d. *Projects undertaken, carried out, or approved by a public agency to maintain, repair, or restore an existing highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide, provided that the project is within the existing right of way of that highway and is initiated within one year of the damage occurring. This does not apply to highways designated as official State scenic highways, nor any project undertaken, carried out, or approved by a public agency to expand or widen a highway damaged by fire, flood, storm, earthquake, land subsidence, gradual earth movement, or landslide.*
 - e. *Seismic work on highways and bridges pursuant to section 180.2 of the Streets and Highways Code, section 180 et seq.*
3. *This Certification is limited only to sudden, unexpected emergency situations defined in General Conditions 1 and 2 above that: (1) have occurred, or (2) have a high probability of occurring in the short term as a result of recently discovered factors or events not related to known or expected conditions. Additionally, the sudden, unexpected emergency situation must have the potential to result in an unacceptable hazard to life or a significant loss of property if corrective action is not undertaken within a time period less than the normal time needed to process an application under standard procedures.*
4. *Emergency repairs and reconstruction must begin within fourteen (14) calendar days of receiving authorization unless an extension is granted by the Corps and agreed to, in writing, by the appropriate Regional Water Board.*
5. *Authorized work in waters of the state shall be completed within 180 days of the enrollment date. If it is anticipated that work will not be completed prior to the expiration of enrollment, the Applicant shall request an extension at least thirty (30) days prior to the expiration date. The request shall include justification for the extension.*

6. *All repairs and construction shall be kept to the minimum necessary to alleviate the immediate emergency and limited to in-kind replacement or refurbishment of on-site features. Minor upgrading may be considered if the Enrollee uses bioremediation or other environmentally sensitive solutions. Permanent restoration work other than that performed as an associated part of the emergency operations, including any minor upgrades, shall not be performed without prior approval and authorization by the Water Boards.*
7. Failure to comply with any condition of this Certification shall constitute a violation of the Porter-Cologne Water Quality Control Act and the Clean Water Act. The Enrollee and/or discharger may then be subject to administrative and/or civil liability pursuant to Water Code section 13385.
8. *Permitted actions must not cause a violation of any applicable water quality standards, including impairment of designated beneficial uses for receiving waters as adopted in the Basin Plans by any applicable Regional Water Board or any applicable State Water Board (collectively Water Boards) water quality control plan or policy. The source of any such discharge must be eliminated as soon as practicable.*
9. *In response to a suspected violation of any condition of this Order, the State Water Board may require the holder of this Order to furnish, under penalty of perjury, any technical or monitoring reports the Water Boards deem appropriate, provide that the burden, including costs, of the reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The additional monitoring requirements ensure that permitted discharges and activities comport with any applicable effluent limitations, water quality standards, and/or other appropriate requirement of state law.*
10. *The Applicant must, at all times, fully comply with engineering plans, specifications, and technical reports submitted to support this Certification; and all subsequent submittals required as part of this Order. The conditions within this Certification and Attachments supersede conflicting provisions within Enrollee submittals.*
11. *This Certification and all of its conditions contained herein continue to have full force and effect regardless of the expiration or revocation of any federal license or permit issued for the Project. For purposes of Clean Water Act, section 401(d), this condition constitutes a limitation necessary to assure compliance with the water quality standards and other pertinent requirements of state law.*

C. Administrative Conditions

1. *Signatory requirements for all document submittals required by this Certification are presented in Attachment B of the Certification.*

2. *This Certification does not authorize any act which results in the taking of a threatened, endangered or candidate species or any act, which is now prohibited, or becomes prohibited in the future, under either the California Endangered Species Act (Fish & G. Code, §§ 2050-2097) or the federal Endangered Species Act (16 U.S.C. §§ 1531-1544). If a "take" will result from any act authorized under this Order held by the Corps, the Corps and/or the Enrollee must obtain authorization for the take prior to any construction or operation of the portion of the Project that may result in a take. The Corps is responsible for meeting all requirements of the applicable endangered species act for the Project authorized under this Order.*
3. *Water Boards staff, or an authorized representative, upon presentation of credentials and other documents as may be required by law, shall be granted permission to enter the dischargers' site(s) at reasonable times, to ensure compliance with the terms and conditions of this Certification and/or to determine the impacts the discharge may have on waters of the state.*
4. *A copy of this Certification shall be provided to any consultants, contractors, and subcontractors working on the Project. Copies of this Certification shall remain at the Project site for the duration of this Certification. The Applicant shall be responsible for work conducted by its consultants, contractors, and any subcontractors.*
5. *A copy of this Certification shall be available at the Project site(s) during construction for review by site personnel and agencies. All personnel performing work on the Project shall be familiar with the content of this Certification and its posted location at the Project site.*

D. Construction

1. *At all times, appropriate types and sufficient quantities of materials shall be maintained on site to contain and clean up any spill or inadvertent release of materials that may cause a condition of pollution or nuisance if the materials reach waters of the state. Construction personnel must know how to use appropriate containment and clean up materials.*
2. *Fueling, lubrication, maintenance, storage, and staging of vehicles and equipment must not result in a discharge to any waters of the state, and shall be located outside of waters of the state in areas where accidental spills will not enter or affect such waters.*
3. *If construction related materials reach surface waters, appropriate spill response procedures must be initiated as soon as the incident is discovered. In addition, the State Water Board staff contact identified in this Order must be notified via email and telephone within twenty-four (24) hours of occurrence.*

4. *Construction materials and debris from all construction work areas shall be removed from the site and disposed of properly following completion of individual projects enrolled under this Order.*
5. *Water diversion activities must not result in the degradation of beneficial uses or exceedances of water quality objectives of any of the receiving waters. Any temporary dam or other constructed obstruction must only be built from materials which will cause little or no siltation (e.g. clean gravel). Normal flows must be restored to the affected water immediately upon completion of work at that location.*
6. *Effective best management practices (BMPs) must be implemented to control erosion and runoff from areas associated with the emergency project, this includes access roads. All areas of temporary impacts and all other areas of temporary disturbance which could result in a discharge or a threatened discharge to waters of the U.S. and/or state must be restored. Restoration must include grading of disturbed areas to pre-project contours and revegetation with native species.*
7. *All repairs and reconstruction shall be kept to the minimum necessary to alleviate the immediate emergency and limited to in-kind replacement or refurbishment of on-site features. Minor upgrading may be considered if the Enrollee uses bioremediation or other environmentally sensitive solutions. Permanent restoration work other than that performed as an associated part of the emergency operations, including any minor upgrades, shall not be performed without prior approval and authorization by the Water Boards.*

E. Mitigation: *Permitted activities shall be the minimum necessary to alleviate the immediate emergency and a sequence of actions must be taken to avoid and then to minimize adverse impacts to aquatic resources. Compensatory mitigation may be required to offset any remaining unavoidable adverse impacts to aquatic resources.*

F. Emergency Notification and Fee Requirements

1. The State Water Board and the applicable Regional Water Board must receive notification by the discharger at least 48 hours prior to initiating emergency actions. This notification must be followed within three (3) business days by submission of all of the information in the Emergency Notification Form (**Attachment D**).
 - a. Notification may be via telephone, e-mail, written notice, or other verifiable means.
 - A staff directory that includes contact information for State and Regional Program Managers is found at: https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/staffdirectory.pdf.
 - A map of Regional Board boundaries is found at: https://www.waterboards.ca.gov/waterboards_map.html

Electronic Submittal:

1. Address e-mail to the "State Program Manager" and the appropriate "Region Program Manager" from the staff directory linked above.
2. Include "Attention – RGP 63 Notice of Intent" in the subject line.

Hardcopy Submittal Addresses:

*ATTN: Program Manager
Wetlands Permitting and Planning
Division of Water Quality
State Water Resources Control Board
1001 "I" St. 15th Floor
Sacramento, CA 95814*

AND

*ATTN: Program Manager
CWA Section 401 WQC Program
Insert mailing address of appropriate Regional Water Board from the staff directory linked above*

2. *The Water Boards recognize there may be situations where imminent threats to life or property occur and the discharger has not received a notice to proceed. If immediate, specific actions, as defined in the California Code of Regulations, title 14, section 15269(c), are required by a discharger and prior notice to the State Water Board and the applicable Regional Water Board is not possible, then the discharger must contact the State Water Board and the applicable Regional Water Board within one (1) business day of the emergency action. This notification must be followed within three (3) business days by submission of all of the information in the Emergency Notification Form (**Attachment D**).*
3. *The Applicant must provide the appropriate fee to the Regional Water Board in accordance with California Code of Regulations, title 23, section 2200 within forty-eight (48) hours of project initiation. Failure to promptly pay the correct fee amount may result in a disqualification for enrollment pursuant to this Certification.*
4. *Once the appropriate Regional Water Board receives a completed Notice of Intent (NOI) and the correct fee from the Enrollee, the Water Board will transmit a Notice of Applicability (NOA) to the Enrollee verifying enrollment in this Certification.*

G. Project Status Notifications

1. *The discharger must provide the State Water Board and the applicable Regional Water Board copies of all correspondence and reports that are submitted to the Corps to satisfy*

the requirements of RGP 63. In addition, the discharger must fill in and submit the form provided in Attachment E.

2. *A completed Notice of Completion (NOC) must be submitted to the appropriate Regional Water Board and State Water Board within 45 calendar days of completion of any action conducted under RGP 63.*
3. *Failure to submit **Attachment E** within 45 calendar days of completion of any emergency actions conducted under this Certification may result in the imposition of administrative and/or civil liability pursuant to Water Code section 13385.*

H. Project Reporting: *If required by the NOA, the Applicant shall submit an Annual Report each year on the anniversary of the date that the individual project is authorized under this Order. Annual reporting shall continue until a Notice of Project Complete Letter is issued to the Applicant.*

I. Conditional Notification and Reporting: *The following notifications and reports are required as appropriate. Reporting requirements are found in Attachment C of the authorization.*

1. Accidental Discharges of Hazardous Materials: *Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Wat. Code, § 13271):*

a. *As soon as (A) Enrollee has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:*

- *first call – 911 (to notify local response agency)*
- *then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911*
- *Lastly follow the required OES procedures as set forth in: <http://occupainfo.com/civicax/filebank/blobdload.aspx?BlobID=26396>
http://www.caloes.ca.gov/FireRescueSite/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf*

b. *Following notification to OES, the Enrollee shall notify State Water Board, as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.*

c. *Within five (5) working days of notification to the State Water Board, the Enrollee must submit an Accidental Discharge of Hazardous Material Report.*

2. Violation of Compliance with Water Quality Standards: *The Enrollee shall notify the State Water Board of any event causing a violation of compliance with water quality standards. Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.*

- a. *Examples of noncompliance events include: lack of storm water treatment following a rain event, discharges causing a visible plume in a water of the state, and water contact with uncured concrete.*
 - b. *This notification must be followed within three (3) working days by submission of a Violation of Compliance with Water Quality Standards Report.*
- 3. ***Transfer of Property Ownership:*** *This Certification is not transferable in its entirety or in part to any person or organization except after notice to the State Water Board in accordance with the following terms:*
 - a. *The Applicant must notify the Water Board of any change in ownership or interest in ownership of the Project area by submitting a Transfer of Property Ownership Report. The Applicant and purchaser must sign and date the notification and provide such notification to the Water Board at least 10 days prior to the transfer of ownership. The purchaser must also submit a written request to the State Water Board to be named as the applicant in a revised order.*
- 4. ***Transfer of Long-Term BMP Maintenance:*** *If maintenance responsibility for post-construction BMPs is legally transferred, the Enrollee must submit to the appropriate Regional Water Board a copy of such documentation and must provide the transferee with a copy of a long-term BMP maintenance plan that complies with manufacturer or designer specifications. The Enrollee must provide such notification to the Water Board with a Transfer of Long-Term BMP Maintenance Report at least 10 days prior to the transfer of BMP maintenance responsibility.*

J. Water Quality Monitoring

- a. *General: If surface water is present, continuous visual surface water monitoring shall be conducted to detect accidental discharge of construction related pollutants (e.g. oil and grease, turbidity plume, or uncured concrete).*
- b. *Accidental Discharges/Noncompliance: Upon occurrence of an accidental discharge of hazardous materials or a violation of compliance with a water quality standard, State Water Board staff may require water quality monitoring based on the discharge constituents and/or related water quality objectives and beneficial uses.*

END OF SWRCB SECTION 401 WATER QUALITY CERTIFICATION CONDITIONS

8. **Coastal Zone Management:** For those projects affecting uses or resources of the coastal zone, the Federal Coastal Zone Management Act (CZMA) requires that the Permittee obtain concurrence from the California Coastal Commission that the project is consistent with the State's certified Coastal Management Program. For activities within the coastal zone that require a coastal development permit from the commission, the Permittees should contact the Commission office to request an emergency permit, and no additional federal consistency review is necessary. For activities within the coastal zone that require a coastal

development permit from a local government with a certified local coastal program, the Permittee should contact the appropriate local government. Because a coastal permit issued by a local agency does not satisfy the federal consistency requirements of the CZMA, the Permittee should also contact Larry Simon, Federal Consistency Coordinator for the Commission, at 415-904-5400 to determine the appropriate emergency procedures. For any activity outside the coastal zone, but with the potential to affect coastal uses or resources, or for any activity conducted by a federal agency, the Permittee should contact Larry Simon, Federal Consistency Coordinator for the Commission at 415-904-5400 to determine the appropriate emergency procedures.

Due to the often limited time constraints with emergency actions, the Corps would not require the Permittee to provide proof of review by the Commission, if such an action would result in undue harm to life or property. However, the Corps will require the Permittee to provide evidence of consistency upon completion of the project unless the Corps is already aware that a particular project, class of projects, or projects in a particular area described by the Commission, have received such determinations or waivers. Disposal of flood-delivered sediments into the marine environment is not authorized under RGP 63 due to potential adverse effects to the habitat and water quality. If such activity is proposed, it shall be addressed through other permitting procedures.

9. Endangered Species: No activity is authorized under this RGP which is likely to jeopardize the continued existence of a threatened or endangered species or destroy or adversely modify designated critical habitat as identified under the Federal Endangered Species Act (ESA). Authorization of an activity by the RGP does NOT authorize the "take" of a listed threatened or endangered species, as defined under the Federal ESA. The U.S. Fish and Wildlife Service and/or National Marine Fisheries Service may provide project-specific recommendations to avoid or minimize potential take of listed species or adverse modification of designated critical habitat. The Corps would determine which recommendations would be incorporated into the emergency authorization.

Information on the location of listed or proposed threatened or endangered species and their designated or proposed critical habitat can be obtained directly from the FWS or NMFS or from their websites at:

USFWS – <http://www.fws.gov/endangered>

NMFS – <http://www.nmfs.noaa.gov/pr/species/>

10. Historic Properties: Impacts to historic properties listed, proposed for listing, or potentially eligible for listing in the National Register of Historic Places will be avoided to the maximum extent practicable. If such resources are impacted because of actions authorized under this RGP, the permittee shall provide a full report of the action and the impacts incurred by the resource to this office within 45 days after completion of the action. The Corps, the State and Tribal Historic Preservation Officers, and/or the Advisory Council for Historic Preservation will then jointly make a determination as to appropriate procedures and/or mitigation to be addressed.

If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this RGP, you must immediately notify the Corps Regulatory Division who will initiate the Federal and State coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

11. Regional and Case-by-Case Conditions: The activity must comply with any regional conditions added by the Division Engineer (see CFR Part 330.4(e)) and with any case-specific conditions added by the District Engineer.

12. Erosion and Siltation Controls: Every effort must be made to ensure any material dredged or excavated from Waters of the United States is not likely to be washed back into any Waters of the United States. When feasible, erosion and siltation controls, such as siltation or turbidity curtains, sedimentation basins, and/or straw bales or other means designed to minimize turbidity in the watercourse above background levels existing at the time of construction, shall be used and maintained in effective operating condition during construction unless conditions preclude their use, or if conditions are such that the proposed work would not increase turbidity levels above the background level existing at the time of the work. All exposed soil and other fills, as well as any work below the ordinary high water mark or high tide line, must be stabilized at the earliest practicable date to preclude additional damage to the project area through erosion or siltation.

13. Equipment: When feasible, and if personnel would not be put into any additional potential hazard, heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance, such as use of wide-treaded equipment or floatation devices.

14. Suitable Material: No discharge of dredged or fill material may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.) and material discharged must be free from toxic pollutants in toxic amounts. (See Section 307 of the Clean Water Act).

15. Wild and Scenic Rivers: No activity may occur in a component of the National Wild and Scenic River System, or in a river officially designated by Congress as a "study river" for possible inclusion in the system while that river is in an official study status, unless the appropriate Federal agency with direct management responsibility for that river has determined in writing that the proposed activity would not adversely affect the Wild and Scenic River designation or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., FWS, National Park Service, USDA Forest Service, Bureau of Land Management). Currently the only designated Wild and Scenic River systems in the Los Angeles District are the main stem of Sespe Creek from its confluence with Rock Creek and Howard Creek downstream to where it leaves Section 26, T5N, R20W; the Sisquoc River from its origin to the Los Padres National Forest boundary in California; and the Verde River from the section line between Sections 26 and 27, T13N, R5E, Gila-Salt River meridian to the confluence of

Red Creek with the Verde River within Section 34, T9 1/2N, R6E.

16. Aquatic Life Movements: No activity may substantially disrupt the movement of those species of aquatic life indigenous to the water body, including those species that normally migrate through the area. Culverts placed in streams must be installed to maintain low flow conditions.

17. Shellfish Production: No discharge of dredged or fill material may occur in areas of concentrated natural or commercial shellfish production, unless the discharge is directly related to a shellfish harvesting activity authorized by the Corps' Nationwide Permit (NWP) 4.

18. Spawning Areas: Discharges in spawning areas during spawning seasons must be avoided to the maximum extent practicable.

19. Waterfowl Breeding Areas: Discharges into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

20. Navigation: No activity may cause more than a minimal adverse effect on the course or capacity of a navigable water. The permittee shall agree that, if future operations by the United States require the removal, relocation, or other alteration of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expenses to the United States. No claim shall be made against the United States on account of any such removal or alteration.

21. Water Supply Intakes: No discharge of dredged or fill material may occur in the proximity of a public water supply intake except where the discharge is for repair of the public water supply intake structures or adjacent bank stabilization.

22. Obstruction of High Flows: To the maximum extent practicable, discharges must not permanently restrict or impede the passage of normal or expected high flows or cause the relocation of the water except within the existing river plain unless the primary purpose of the fill is to impound waters.

23. Adverse Effects from Impoundments: If the discharge creates an impoundment of water, adverse effects on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow shall be minimized to the maximum extent practicable.

24. Proper Maintenance: Any structure or fill authorized by this RGP shall be maintained, including maintenance to ensure public safety, unless it is later determined that the structure is further contributing to other adverse conditions to private or public property. In such

situations, corrective measures will be taken to rectify these adverse conditions, including removal and/or redesign of the original emergency corrective action, or appropriate mitigation as determined through coordination with you and the appropriate Federal and State agencies. Temporary levees constructed to control flows shall not be maintained beyond the current storm season (i.e., maintenance of temporary levees is not authorized after the storm season in which the need arose).

25. Removal of Temporary Fills: Temporary fills shall be removed in their entirety and the affected areas returned to pre-existing elevations and revegetated with appropriate native riparian or wetland vegetation common to the area. If an area impacted by such a temporary fill is considered likely to naturally re-establish native riparian or wetland vegetation to a level similar to pre-project or pre-event conditions within two years, you will not be required to do so.

26. Reports: You shall provide a concise written report to this office as soon as practicable (within 45 days of completing the project) after completion of any action conducted under this RGP. **PROVIDING THIS REPORT IS MANDATORY.** This office has additional responsibilities pursuant to consultation with the FWS and NMFS under Section 7 of the ESA. Further, these reports enable us to track the use of this RGP to verify that the minimal effects determination is being met as required by Section 404(e) of the CWA. Failure to provide timely reports following responses to emergencies is non-compliance with the General Conditions of this RGP and would be considered a violation (33 CFR Part 326.4(d)).

At a minimum the Report shall include the following:

I. The name, address, e-mail address and telephone number of:

- a. the applicant, and
- b. the applicant's agent (if appropriate)

II. Full description of the activity including:

- a. description of the emergency and the potential for loss of life or property;
- b. purpose of the activity;
- c. final goal of the entire activity;
- d. location (e.g., latitude/longitude or UTM coordinates; section/township/range on appropriate USGS topo map; electronic map images; Thomas Guide map; or other source to accurately portray project location);
- e. size and description of project area (include maps or drawings showing the areal and lineal extent of the project, and pre- and post-construction photographs);
- f. quantities of materials used;
- g. information on receiving waterbody impacted including:
 - (1) name of waterbody
 - (2) type of receiving waterbody (e.g., river/streambed, lake/reservoir, ocean/estuary/bay, riparian area, wetland type, etc.)
 - (3) temporary/permanent adverse impact(s) in acres/cubic yards/linear feet

- (4) compensatory mitigation in acres/cubic yards/linear feet
- (5) other mitigation steps (to avoid, minimize, compensate); and
- h. information on an activity that required permission from the Corps pursuant to 33 U.S.C. 408 because the project altered, temporarily or permanently occupied use of a U.S. Army Corps of Engineers federally authorized civil works project.
- i. information on federally listed or proposed endangered species or designated or proposed critical habitat (notification must be provided to FWS and/or NMFS as appropriate) including:
 - (1) temporary/permanent adverse impacts
 - (2) compensatory mitigation
 - (3) other mitigation steps (to avoid, minimize, compensate).
 - (4) Federal agencies should follow their own procedures for complying with requirements with the Endangered Species Act (ESA) and the National Historic Preservation Act (NHPA). The Federal permittee must provide to the district engineer (DE) the appropriate documentation to demonstrate compliance with these requirements. The DE will verify that the appropriate documentation was submitted. If any documentation is not submitted, and additional ESA and/or NHPA consultation may be necessary for the activity the respective federal agency would be responsible for fulfilling its obligation.”

If there are a substantial number of projects and this requirement would consume large quantities of staff resources, the permittee may, as an option, submit a comprehensive report providing all of the information required in the notification condition (Item 2.b.) above. If a project was conducted in an area known to harbor Federally listed or proposed endangered species or designated or proposed critical habitat, a list of measures taken to minimize harm to the species and/or habitat and provide a copy of the report to the FWS and/or the NMFS, as appropriate, must also be included. If mitigation was determined to be appropriate for a specific project or group of projects, a mitigation proposal must be submitted to this office for review and approval. We will forward the report to the appropriate agencies for their review and comment.

Further Information:

1. Congressional Authorities. You have been authorized to undertake the activity described above pursuant to:
 - (X) Section 10 of the River and Harbor Act of 1899 (33 U.S.C. 403).
 - (X) Section 404 of the Clean Water Act (33 U.S.C. 1344).
 - () Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).
2. Limits of this authorization.
 - a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.
 - b. This permit does not grant any property rights or exclusive privileges.
 - c. This permit does not authorize any injury to the property or rights of others.
 - d. This permit does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

- a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.
- b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.
- c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.
- d. Design or construction deficiencies associated with the permitted work.
- e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data. The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

- a. You fail to comply with the terms and conditions of this permit.
- b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (See 4 above).
- c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measure ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give you favorable consideration to a request for an extension of this time limit.

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army has signed below.

David J. Castanon
Chief, Regulatory Division

DATE

RESOLUTION NO. 2019 –

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NATIONAL CITY
RATIFYING THE CITY MANAGER'S DECLARATION OF EMERGENCY FOR THE VALLEY
ROAD CHANNEL SLOPE STABILIZATION AND WAIVING OF COMPETITIVE BIDDING
PROCEDURES UNDER EMERGENCY CONDITIONS PURSUANT TO CALIFORNIA PUBLIC
CONTRACT CODE SECTION 22050 "EMERGENCY PURCHASES-EMERGENCY DEFINED"
AND NATIONAL CITY MUNICIPAL CODE SECTION 2.60.230, AND APPROVE AN
INCREASE OF \$80,000 TO THE GENERAL FUND ENVIRONMENTAL COMPLIANCE
CONTRACT SERVICES APPROPRIATION THROUGH USE OF GENERAL FUND FUND
BALANCE FOR COMPLETION OF THE EMERGENCY WORK

WHEREAS, the northeast area of the Valley Road channel that runs between Plaza Bonita Center Way and San Miguel Court has experienced erosion due to high water velocities during major storm events; and

WHEREAS, Public Works staff have performed periodic inspections of the channel before and after major storm events; and

WHEREAS, on February 25, 2019, staff noticed that the south slope had significantly eroded to a point that presents an imminent risk to public safety for several homes located in proximity to the top of the channel slope; and

WHEREAS, on February 28, 2019, based on the recommendation of the City Engineer, the City Manager declared this work as an "emergency" pursuant to California Public Contract Code Section 22050 "Emergency Purchases-Emergency Defined" and National City Municipal Code Section 2.60.230; and

WHEREAS, staff applied for an emergency permit through the U.S. Army Corps of Engineers to stabilize and protect the south slope of the channel and on March 4, 2019, the U.S. Army Corps of Engineers issued a letter of verification authorizing the City of National City to perform emergency repairs in accordance with the terms and conditions of Regional General Permit No. 63; and

WHEREAS, as required by the letter of verification, emergency repairs must be completed no later than March 18, 2019; and

WHEREAS, staff is requesting an increase of \$80,000 to the General Fund Environmental Compliance Contract Services appropriation through the use of General Fund fund balance to complete the emergency work and to ratify the City Manager's declaration of emergency and waiving of competitive bidding procedures, as provided under emergency contracting procedures.

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Resolution No. 2019 –
Page Two

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of National City does hereby authorizes the Mayor to ratifying the City Manager's declaration of emergency for the Valley Road channel slope stabilization and approve an increase of \$80,000 to the General Fund Environmental Compliance Contract Services appropriation through use of General Fund fund balance.

PASSED and ADOPTED this 19th day of March, 2019.

Alejandra Sotelo-Solis, Mayor

ATTEST:

Michael R. Dalla, City Clerk

APPROVED AS TO FORM:

Angil Morris-Jones
City Attorney

The following page(s) contain the backup material for Agenda Item: [Notice of Decision - Planning Commission approval of a Conditional Use Permit for the modification of an existing wireless communications facility on a sign located at 1900 East Plaza Boulevard. \(Applicant: Chris Ward/T-Mobile\) \(Case File 2018-28 CUP\) \(Planning\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.

ITEM TITLE:

Notice of Decision – Planning Commission approval of a Conditional Use Permit for the modification of an existing wireless communications facility on a sign located at 1900 East Plaza Boulevard (Applicant: Chris Ward/T-Mobile) (Case File 2018-28 CUP)

PREPARED BY: Chris Stanley C.S.

DEPARTMENT: Planning

PHONE: 619-336-4381

APPROVED BY: 

EXPLANATION:

The applicant has applied for a Conditional Use Permit (CUP) to add antennas to an existing wireless communications facility located in the cabinet of the pole sign advertising the Family House of Pancakes restaurant. Due to limited space within the existing sign cabinet, the applicant proposes to install four new antennas on the sign pole within an enclosure resembling a utility box, which will be painted to match the existing pole.

The Planning Commission conducted a public hearing on March 4, 2019. Commissioners asked questions regarding screening options and co-location. The Commission voted to approve the CUP based on required findings and subject to Conditions of Approval.

The attached Planning Commission staff report describes the proposal in detail.

FINANCIAL STATEMENT:

ACCOUNT NO.

APPROVED: _____ **Finance**
APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

Categorical Exemption-Class 1, Section 15301 (Existing Facilities)

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

BOARD / COMMISSION RECOMMENDATION:

The Planning Commission approved the Conditional Use Permit.

Ayes: Flores, Sendt, Yamane, Dela Paz

Absent: Baca, Garcia

ATTACHMENTS:

- | | |
|-------------------------------------|---------------------------|
| 1. Overhead | 3. Resolution No. 2019-03 |
| 2. Planning Commission Staff Report | 4. Reduced Plans |

2018-28 CUP – 1900 East Plaza Boulevard – Overhead





Item no. **3**
March 4, 2019

CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR THE MODIFICATION OF AN EXISTING WIRELESS COMMUNICATIONS FACILITY ON A SIGN LOCATED AT 1900 EAST PLAZA BOULEVARD (FAMILY HOUSE OF PANCAKES).

Case File No.: 2018-28 CUP

Location: 1900 East Plaza Boulevard

Assessor's Parcel Nos.: 557-420-31

Staff report by: Chris Stanley, Acting Assistant Planner

Applicant: Stephanie Vanderveen, T-Mobile

Zoning designation: Major Mixed-Use District (MXD-2)

Adjacent zoning:

North: Commercial and multi-family residential across Plaza Blvd. / MXD-2

East: Interstate 805 Freeway / OS (Open Space)

South: Single family and multi-family residential / MXD-2, RM-3, and RS-2

West: Commercial and multi-family residential / MXD-2

Environmental review: Categorically Exempt pursuant to Class 1 Section 15301 (Existing Facilities)

Staff recommendation: Approve

ATTACHMENT 2

Staff Recommendation

Staff recommends approval of the modification of the existing wireless communications facility on the sign. The use is conditionally-allowed in the Major Mixed-Use District zone and is consistent with the General Plan and Land Use Code. The expansion generally meets all applicable design requirements for wireless communication facilities.

Executive Summary

The applicant has applied for a Conditional Use Permit (CUP) to modify the existing wireless communications facility on a sign (Family House of Pancakes). The upgrade is to a T-Mobile facility that will add four antennas and four radios to an existing pole sign. The equipment will be housed behind screening panels. The new facility will help to provide coverage in an area with limited service and provide additional reception for T-Mobile customers.

Site Characteristics

The project location is an existing restaurant (Family House of Pancakes) located at 1900 East Plaza Boulevard. North of the restaurant, across Plaza, are multi-family developments and a restaurant, Bistro City; east is the Interstate 805 Freeway, which is considered Open Space; west is a carwash, market, motel (the Stardust Inn), and multi-family units; south is single-family and multifamily residential.

Proposed Use

The applicant is proposing to modify an existing telecommunications facility by installing four additional antennas and associated equipment. The four antennas measure approximately 13 feet in height and would be mounted to the 75 foot pole sign beneath the existing equipment. The sign is situated in the southeast corner of the development facing north and south. The antennas would be screened by panels creating the appearance of a utility box around the pole. The proposed antennas would be in addition to four existing antennas, which are enclosed within the sign cabinet itself.

Analysis

The proposed antennas would be using stealth options, which are encouraged in the Land Use Code, the visual impact would be limited due to the already mentioned screening panels, which would give the appearance of a box mounted to the sign. The antennas follow all other applicable land use code requirements, such as being located on the rear half of the property and not

being situated between the development and any public or private street adjoining the parcel, which in this case is Plaza Boulevard. Telecommunication facilities should be located and designed to avoid blocking and/or substantially altering scenic views. The proposed antennas are pole-mounted, which would have less of a visual impact than a tower and are not in a residential zone. The antennas are more than 75 feet from any habitable structure (approximately 90 feet).

Findings for Approval

The Municipal Code contains six required findings for CUPs:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Major Mixed-Use District zone pursuant to a CUP, and the proposed use generally meets the required guidelines in the Land Use Code.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

General Plan Policy E-3.3 encourages access to wireless internet connections, computers, and other forms of communication technology; the proposed telecommunications facility will provide coverage in an area with limited service and provide additional reception for T-Mobile customers.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

The design, location, size, and operating characteristics of the four proposed antennas mirror those of the existing antennas and as such are compatible with the existing land use.

4. The site is physically suitable for the type, density, and intensity of use being proposed; including access, utilities, and the absence of physical constraints.

The proposed antennas would be accessory to not only the existing telecommunications facility, but also the existing commercial use; their placement on the existing pole sign assures that circulation will not be affected.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed antennas will not stand out due to the use of stealth paneling. The panels give off the appearance of a utility box.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The proposed project has been reviewed in compliance with CEQA. Staff has determined the proposed use to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this CUP.

Findings for Denial

1. Granting the permit would constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

Because the subject facility would be more visible with the antennas than without, it would have a negative visual impact on area uses and would not be consistent with design guidelines for wireless telecommunications facilities §18.30.220 (B)(2)(i) & (k).

2. Although the coverage for T-Mobile Wireless facilities is less than optimal in the subject area, no significant gap in service exists; denial of the Conditional Use Permit would not result in a prohibition of service.

Conditions of Approval

Planning Department conditions require that all appropriate and required local, state and/or federal permits must be obtained prior to operation of the wireless communications facility. In addition, the permittee shall not object to co-locating

additional facilities of other communication companies and sharing the project site, provided such shared use does not result in substantial technical or quality-of-service impairment for the permitted use. The applicant or operator shall also be responsible for the removal and disposal of any antennas, equipment or facilities that are abandoned, decommissioned, or become obsolete within six (6) months of discontinuance. In addition, standard Fire and Building code conditions are included.

Summary

The proposed project is consistent with the Land Use Code in that it generally meets all applicable design requirements for wireless communication facilities. The project uses the stealth options encouraged by the City and such, is able to blend in with nearby development (other utilities). The antennas would be screened from view using stealth panels and the operating equipment would be housed with the existing equipment. The new facility will help to provide coverage in an area with limited service and provide additional reception for T-Mobile customers.

Options

1. Approve 2018-28 CUP subject to the conditions listed below, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2018-28 CUP based on the attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2018-28 CUP, dated 12/03/2018)
5. Coverage Map
6. Public Hearing Notice (Sent to 150 property owners & occupants)
7. CEQA Notice of Exemption
8. Resolutions



CHRIS STANLEY
Acting Assistant Planner



RAYMOND PE
Acting Planning Director

RESOLUTION NO. 2019-03

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT FOR THE MODIFICATION OF AN
EXISTING WIRELESS COMMUNICATIONS FACILITY ON A SIGN LOCATED AT
1900 EAST PLAZA BOULEVARD (FAMILY HOUSE OF PANCAKES).
CASE FILE NO. 2018-28 CUP
APN: 557-420-31

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for the modification of an existing wireless communications facility on an existing building located at 1900 East Plaza Boulevard at a duly advertised public hearing held on February 4, 2019, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2018-28 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law; and,

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on February 4, 2019, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code. The use is allowable within the Major Mixed-Use District zone pursuant to a CUP, and the proposed use generally meets the required guidelines in the Land Use Code.
2. The proposed use is consistent with the General Plan. General Plan Policy E-3.3 encourages access to wireless internet connections, computers, and other forms of communication technology. The proposed telecommunications facility will provide coverage in an area with limited service and provide additional reception for T-Mobile customers.

ATTACHMENT 3

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity. The four proposed antennas mirror those of the existing antennas and as such are compatible with the existing land use.
4. The site is physically suitable for the type, density, and intensity of the use being proposed, including access, utilities, and the absence of physical constraints. The proposed antennas would be accessory to not only the existing telecommunications, but also the existing commercial uses, which includes indoor recreation and retail. Their placement on the existing building assures that circulation will not be affected.
5. Granting the permit would not constitute a nuisance, be injurious, or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located. The proposed antennas will not stand out due to the use of stealth paneling. The panels give off the appearance of a utility box.
6. The proposed project has been reviewed in compliance with the CEQA. Staff has determined the proposed use to be categorically exempt from environmental review pursuant to Class 1 Section 15301 (Existing Facilities), for which a Notice of Exemption will be filed subsequent to approval of this CUP.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This *Conditional Use Permit* authorizes a wireless communications facility at 1900 East Plaza Boulevard. Except as required by conditions of approval, all plans submitted for permits associated with the project shall conform with Exhibit A, Case File No. 2018-28 CUP, dated 12/03/2018. Any additional antennas or facilities must be in substantial conformance with the design for installation shown on these plans.
2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner both shall sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate

holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the City Manager or assign prior to recordation.

3. *Within four (4) days of approval*, pursuant to Fish and Game Code 711.4 and the California Code of Regulations, Title 14, Section 753.5, the applicant shall pay all necessary environmental filing fees for the San Diego County Clerk. Checks shall be made payable to the *County Clerk* and submitted to the National City Planning Department.
4. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in Section 18.12.040 of the Municipal Code.

Building

5. Plans submitted for improvements shall comply with the current edition of the California Building, Electrical, Plumbing, Mechanical, Energy and Codes.

Fire

6. Plans submitted for improvements shall comply with the current edition of the California Fire Code (CFC) and National Fire Protection Association (NFPA).

Planning

7. All required local, state and/or federal permits shall be obtained prior to operation of the wireless communications facility.
8. The permittee shall not object to co-locating additional facilities of other communication companies and sharing the project site, provided such shared use does not result in substantial technical or quality-of-service impairment for the permitted use. In the event a dispute arises with regard to co-locating with other existing or potential users, the City may require a third party technical study at the expense of either or both the applicant and the complaining user. This condition in no way obligates the City to approve any co-location proposal if it is determined by the City not to be desirable in a specific case.
9. The applicant or operator shall be responsible for the removal and disposal of any antennas, equipment or facilities that are abandoned, decommissioned, or become obsolete within six (6) months of discontinuance.
10. All equipment shall be painted to match the color of the surface to which it is mounted.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that

meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 4, 2019, by the following vote:

AYES: Flores, Sendt, Yamane, Dela Paz

NAYS: None.

ABSENT: Baca, Garcia

ABSTAIN: None.


CHAIRPERSON
Bill Sendt

T-Mobile®

SITE NUMBER: SD06176B
SITE NAME: SD176 FAMILY RESTAURANT
SITE TYPE: SIGN STRUCTURE
RFDS: L700-CMP4-4x2-R3.1

ADDRESS: 1900 E. PLAZA BLVD
NATIONAL CITY, CA 91950
COUNTY: CITY OF SAN DIEGO
JURISDICTION: NATIONAL CITY

PROJECT SUMMARY:

MODIFY AN (E) T-MOBILE TELECOMMUNICATIONS FACILITY SITE WITH THE FOLLOWING:

1. INSTALL (4) APXVAARR24_43-U-NA20 OCTO PORT 8FT ANTENNAS, (1) EACH PER SECTOR
2. INSTALL (4) RRU 4449 NEAR ANTENNAS (B12+B71), (1) EACH PER SECTOR
3. REPLACE (1) DUS41 WITH (1) BB5216 IF NOT COMPLETED (V.I.F.)
4. INSTALL (1) XMU INSIDE (E) CABINET
5. INSTALL (2) ADDITIONAL 6X12 HCS 6AWG 40m
6. INSTALL RET

APPLICANT:

T-MOBILE USA
10509 VISTA SORRENTO PARKWAY, SUITE 2016
SAN DIEGO, CA 92121

SITE ADDRESS:

1900 EAST PLAZA BLVD
NATIONAL CITY, CA 91950

PROPERTY OWNER:

MORGAN FAMILY TRUST
1223 "J" AVENUE
NATIONAL CITY, CA 91950
CONTACT: ROBERT LEE MORGAN
PHONE: 619-421-3084

BUILDING SUMMARY:

OCCUPANCY CLASSIFICATION: U - UNMANNED TELECOMMUNICATION FACILITY
ZONING: GC GENERAL COMMERCIAL W/ PLANNED DEVELOPMENT OVERLAY

CONSTRUCTION TYPE:

V-B
A.P.N.: 557-420-31
LEASE AREA: - SQ.FT. ((E)/ NO CHANGE)
LATITUDE: 32.67630555
LONGITUDE: -117.08522200
JURISDICTION: CITY OF NATIONAL CITY

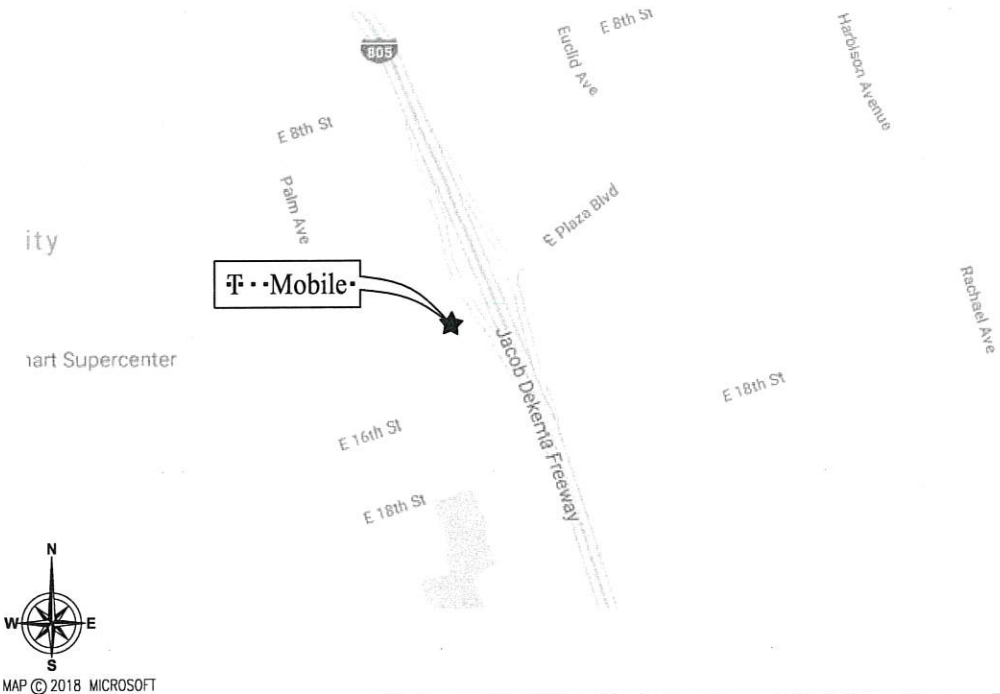
SHEET INDEX:

SHEET NUMBER: **DESCRIPTION:**

T-1	TITLE SHEET
T-2	GENERAL NOTES, ABBREVIATIONS, SITE LEGENDS, SYMBOLS & MATERIAL
A-1	SITE PLAN
A-2	EQUIPMENT AND ANTENNA LAYOUT PLANS
A-3	ELEVATIONS
A-4	ELEVATIONS
A-5	DETAILS
A-6	DETAILS

NOTE:
SCALES SHOWN ON SET OF DRAWINGS ARE REPRESENTATIVE OF FULL SIZE 24"x36"
DRAWINGS. IF THIS SET OF DRAWINGS IS LESS THAN 24"x36", IT IS A REDUCED SET.

VICINITY MAP:



CONSULTING TEAM:

SAC/ ZONING/ PERMITTING:

SMARTLINK, LLC
18401 VON KARMAN AVE, SUITE 400
IRVINE, CA 92612
CONTACT: STEPHANIE PITELL-VALDEZ, PM
PHONE: (619) 417-9925
EMAIL: STEPHANIE.VALDEZ@SMARTLINKLLC.COM

CONTACT: JERROD PLOOF
PHONE: (858) 344-4444
EMAIL: JERROD.PLOOF@SMARTLINKLLC.COM

RF ENGINEER:

T-MOBILE USA
10509 VISTA SORRENTO PARKWAY
SUITE 206
SAN DIEGO, CA 92121
CONTACT: PEDRO ABE
PHONE: (858) 334-6128
EMAIL: PEDRO.ABE@T-MOBILE.COM

ARCHITECTURAL & ENGINEERING:

DCI PACIFIC
32 EXECUTIVE PARK, SUITE 110
IRVINE, CA 92614
CONTACT: D.K. DO, RA
PHONE: (949) 475-1000
FAX: (949) 475-1001
EMAIL: DK@DCIPACIFIC.COM

CONSTRUCTION MANAGER:

T-MOBILE
10509 VISTA SORRENTO PARKWAY
SUITE 206
SAN DIEGO, CA 92121
CONTACT: KIRT BABCOCK
PHONE: (858) 334-6139
EMAIL: KIRT.BABCOCK@T-MOBILE.COM

APPROVALS:

THE FOLLOWING PARTIES HEREBY APPROVE AND ACCEPT THESE DOCUMENTS AND AUTHORIZE THE CONTRACTOR TO PROCEED WITH THE CONSTRUCTION DESCRIBED HEREIN. ALL CONSTRUCTION DOCUMENTS ARE SUBJECT TO REVIEW BY THE LOCAL BUILDING DEPARTMENT AND ANY CHANGES AND MODIFICATIONS THEY MAY IMPOSE.

	PRINT NAME	SIGNATURE	DATE
LANDLORD			
CONST. MGR			
DEVELOP. MGR			
ZONING MGR			
CONST. MGR(TMO)			
PROJECT MGR			
RF ENGINEER			
OPERATIONS			
SAC REP.			

DIRECTIONS FROM 'T-MOBILE' SAN DIEGO, CA OFFICE:

1. DEPART VISTA SORRENTO PKWY TOWARD I-805 SOUTH
2. TAKE RAMP RIGHT AND FOLLOW SIGNS FOR I-805 SOUTH
3. AT EXIT 10, TAKE RAMP RIGHT TOWARD PLAZA BLVD
4. DESTINATION WILL BE ON THE LEFT

EXHIBIT: A
CASE FILE NO.: 2018-28
DATE: 12-3-18

APPLICABLE CODES

1. 2016 CALIFORNIA ADMINISTRATIVE CODE (CAC)
2. 2016 CALIFORNIA BUILDING CODE (CBC): VOLUMES 1 AND 2
3. 2016 CALIFORNIA ELECTRICAL CODE
4. 2016 CALIFORNIA MECHANICAL CODE (CMC)
5. 2016 CALIFORNIA ENERGY CODE
6. 2016 CALIFORNIA FIRE CODE (CFC)
7. 2016 CALIFORNIA GREEN CODE
8. 2016 CALIFORNIA REFERENCED STANDARDS CODE

**** NOTE:** ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THESE CODES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.

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10509 VISTA SORRENTO PARKWAY, SUITE 2016
SAN DIEGO, CA 92121



18401 VON KARMAN AVE, SUITE 400
IRVINE, CA, 92612

PLANS PREPARED BY:

DCI PACIFIC
A|E|C WORKS

ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614

NO.	DATE:	DESCRIPTION:	BY:
0	08/30/18	75% CD	DAK

SITE INFORMATION:

SD176 FAMILY RESTAURANT
SD06176B

1900 E. PLAZA BLVD
NATIONAL CITY, CA. 91950

SEAL:

CUP

SHEET TITLE:

TITLE SHEET

SHEET NUMBER:

T-1

GENERAL CONSTRUCTION NOTES

 METER

GENERAL CONSTRUCTION NOTES

1. THE FACILITY IS AN UNOCCUPIED TELECOMMUNICATION FACILITY.
2. PLANS ARE NOT TO BE SCALED AND ARE INTENDED TO BE A DIAGRAMMATIC OUTLINE ONLY, UNLESS NOTED OTHERWISE. THE WORK SHALL INCLUDE FURNISHING MATERIALS, EQUIPMENT, APPURTENANCES AND LABOR NECESSARY TO COMPLETE ALL INSTALLATIONS AS INDICATED ON THE DRAWINGS.
3. PRIOR TO THE SUBMISSION OF BIDS, THE CONTRACTORS SHALL VISIT THE JOB SITE AND BE RESPONSIBLE FOR ALL CONTRACT DOCUMENTS, FIELD CONDITIONS AND DIMENSIONS, AND CONFIRMING THAT THE WORK MAY BE ACCOMPLISHED AS SHOWN PRIOR TO PROCEEDING WITH CONSTRUCTION. ANY DISCREPANCIES ARE TO BE BROUGHT TO THE ATTENTION OF THE IMPLEMENTATION ENGINEER AND ARCHITECT AND/OR ENGINEER PRIOR TO PROCEEDING WITH THE WORK.
4. THE CONTRACTOR SHALL RECEIVE, IN WRITING, AUTHORIZATION TO PROCEED BEFORE STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED OR IDENTIFIED BY THE CONTRACT DOCUMENTS.
5. CONTRACTOR SHALL CONTACT USA ALERT BEFORE PROCEEDING WITH ANY EXCAVATION, SITE WORK OR CONSTRUCTION.
6. THE CONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS IN ACCORDANCE WITH MANUFACTURER'S RECOMMENDATIONS UNLESS SPECIFICALLY INDICATED OTHERWISE OR WHERE LOCAL CODES OR REGULATIONS TAKE PRECEDENCE.
7. ALL WORK PERFORMANCE AND MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES. CONTRACTOR SHALL GIVE ALL NOTICES AND COMPLY WITH ALL LAWS, ORDINANCES, RULES, REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY REGARDING THE PERFORMANCE OF THE WORK. MECHANICAL AND ELECTRICAL SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES, ORDINANCES AND APPLICABLE REGULATIONS.
8. THE GENERAL CONTRACTOR SHALL SUPERVISE AND DIRECT THE WORK, USING THE BEST SKILLS AND ATTENTION. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT INCLUDING CONTACT AND COORDINATION WITH THE IMPLEMENTATION ENGINEER AND WITH THE LANDLORD'S AUTHORIZED REPRESENTATIVE.
9. DETAILS ARE INTENDED TO SHOW END RESULT OF DESIGN. MINOR MODIFICATION MAY BE REQUIRED TO SUIT JOB DIMENSIONS OR CONDITIONS, AND SUCH MODIFICATIONS SHALL BE INCLUDED AS PART OF THE WORK.
10. THE CONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT (C) IMPROVEMENTS, PAVING, CURBS, VEGETATION, GALVANIZED SURFACES, ETC., AND UPON COMPLETION OF WORK REPAIR ANY DAMAGE THAT OCCURRED DURING CONSTRUCTION TO THE SATISFACTION OF 'IT-MOBILE'.
11. KEEP GENERAL AREA CLEAN, HAZARD FREE, AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. LEAVE PREMISES IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST OR SMUDGES OF ANY NATURE.
12. PENETRATIONS OF ROOF MEMBRANES SHALL BE PATCHED AND/OR FLASHED AND MADE WATERTIGHT USING LIKE MATERIALS IN ACCORDANCE WITH NRCA ROOFING STANDARDS AND DETAILS. CONTRACTOR SHALL OBTAIN DETAILING CLARIFICATION FOR SITE-SPECIFIC CONDITIONS FROM ARCHITECT/ENGINEER, IF NECESSARY, BEFORE PROCEEDING.
13. THE ARCHITECT/ENGINEER AND REPRESENTATIVES OF THE LESSEE AND OWNER, MUST BE NOTIFIED AT LEAST TWO FULL DAYS PRIOR TO COMMENCEMENT OF CONSTRUCTION.
14. DO NOT EXCAVATE OR DISTURB SOILS BEYOND THE PROPERTY LINES OR LEASE LINES, UNLESS SPECIFICALLY INSTRUCTED, IN WRITING, BY THE ARCHITECT/ENGINEER AND LESSEE.
15. DO NOT SCALE BUILDING DIMENSIONS FROM DRAWINGS.

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10509 VISTA SORRENTO PARKWAY, SUITE 2016
SAN DIEGO, CA 92121



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A|E|C WORKS

ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614

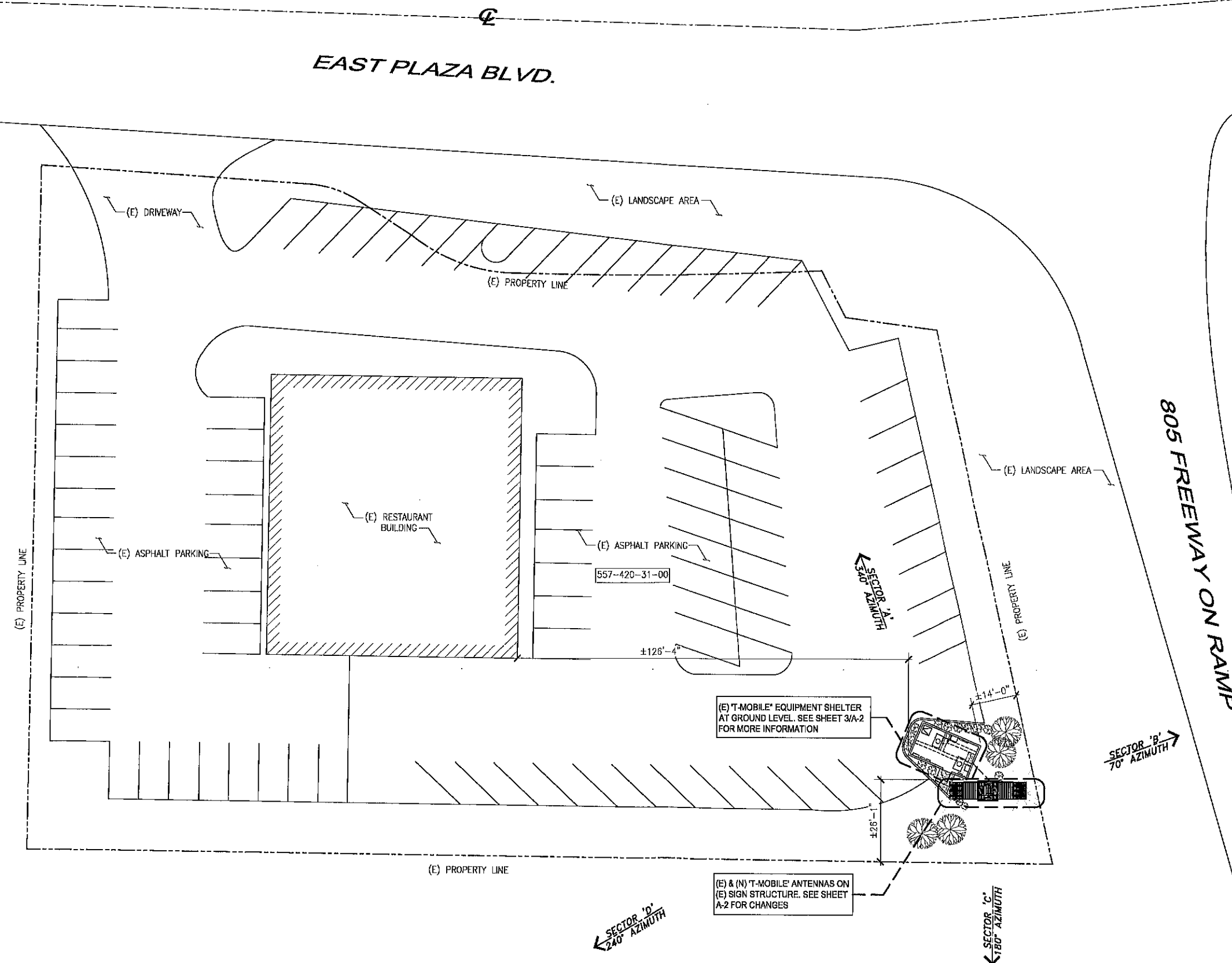
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**SD176 FAMILY
RESTAURANT
SD06176B**

1900 E. PLAZA BLVD
NATIONAL CITY, CA. 91950

SITE PLAN

A-1



14





SCALE



 $1/16'' = 1' - 0''$

--	--

- 



		SCALE:	3
		$1/2" = 1' - 0"$	

		SCALE:
		3/32" = 1'-0"

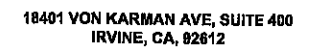
		SCALE:	2
		$3/32" = 1' - 0"$	



2.

214 of 310

10509 VISTA SORRENTO PARKWAY, SUITE 2016
SAN DIEGO, CA 92121



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ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614

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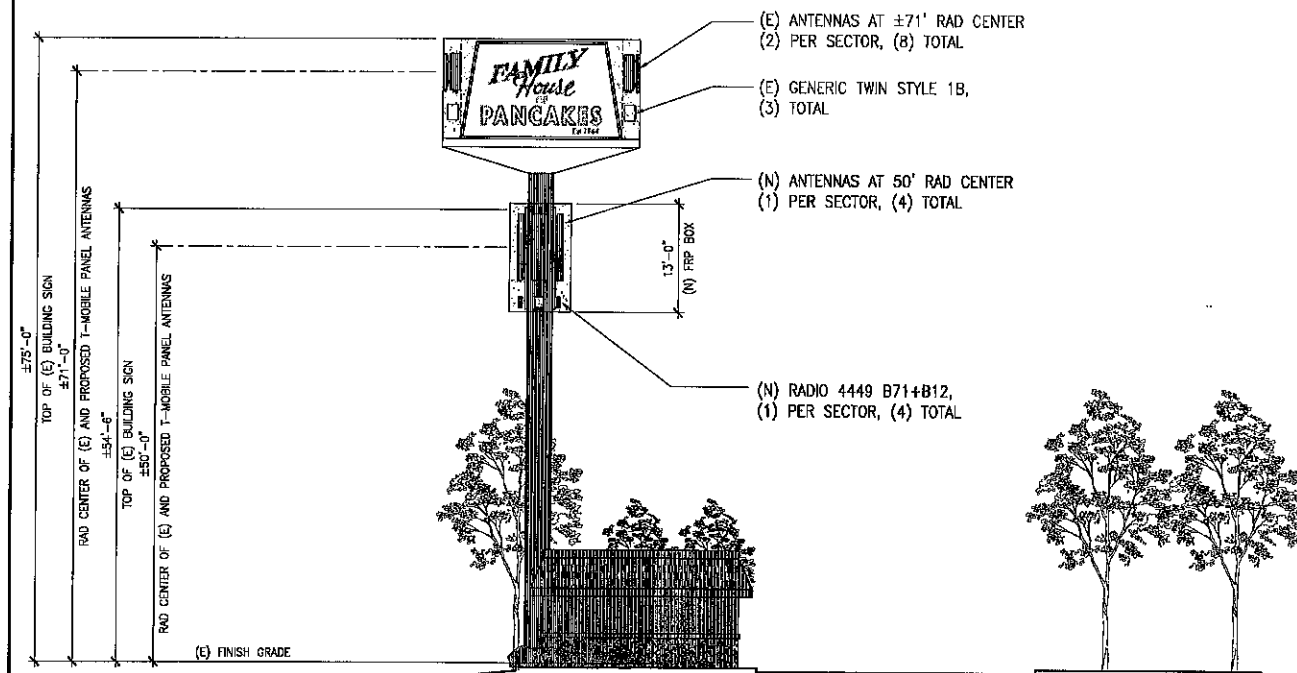
**SD176 FAMILY
RESTAURANT
SD06176B**

1900 E. PLAZA BLVD
NATIONAL CITY, CA. 91950

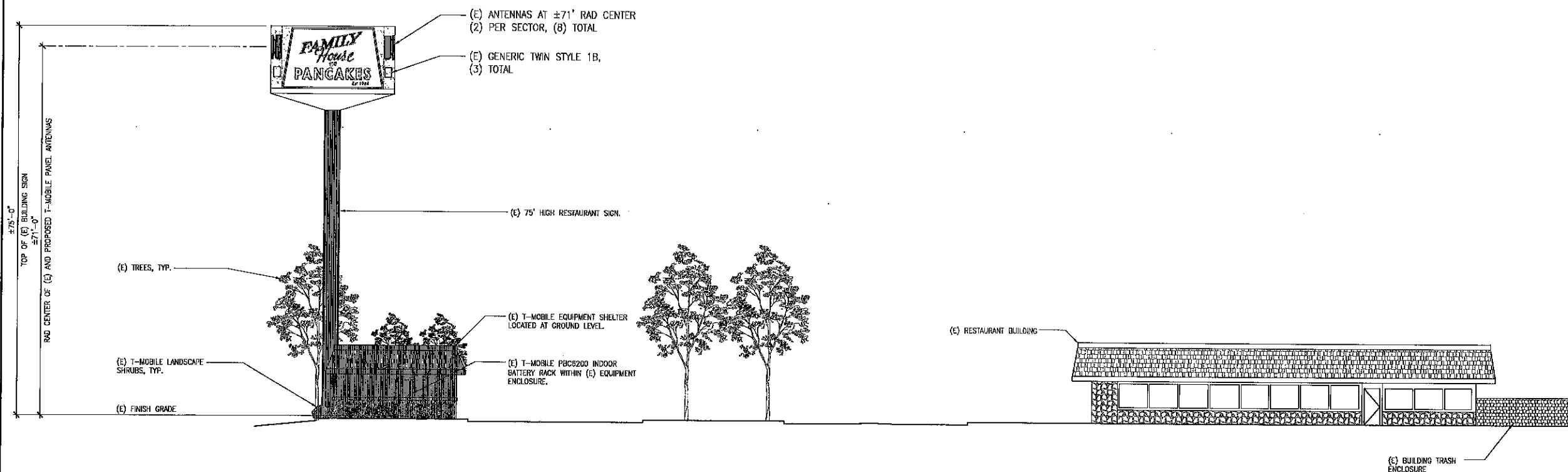
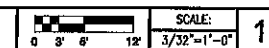
ELEVATIONS

A-3

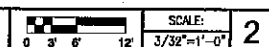
215 of 310

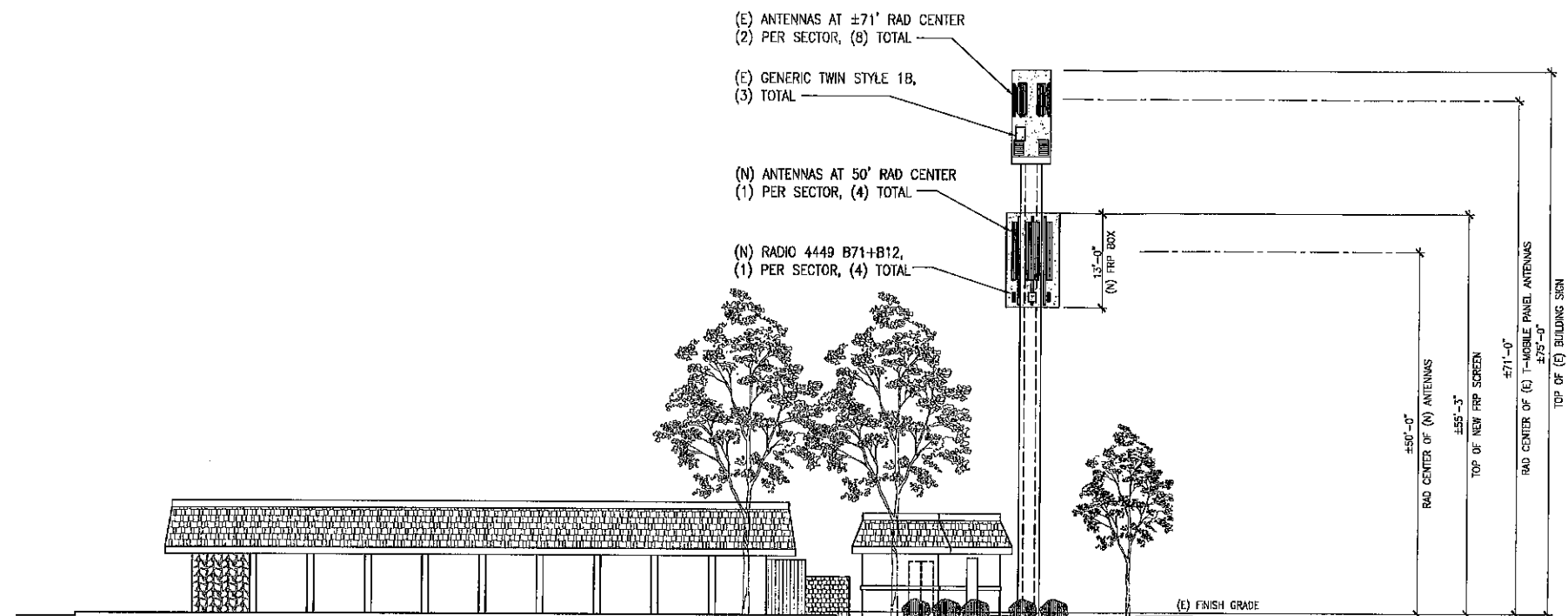


FINAL - NORTHWEST ELEVATION

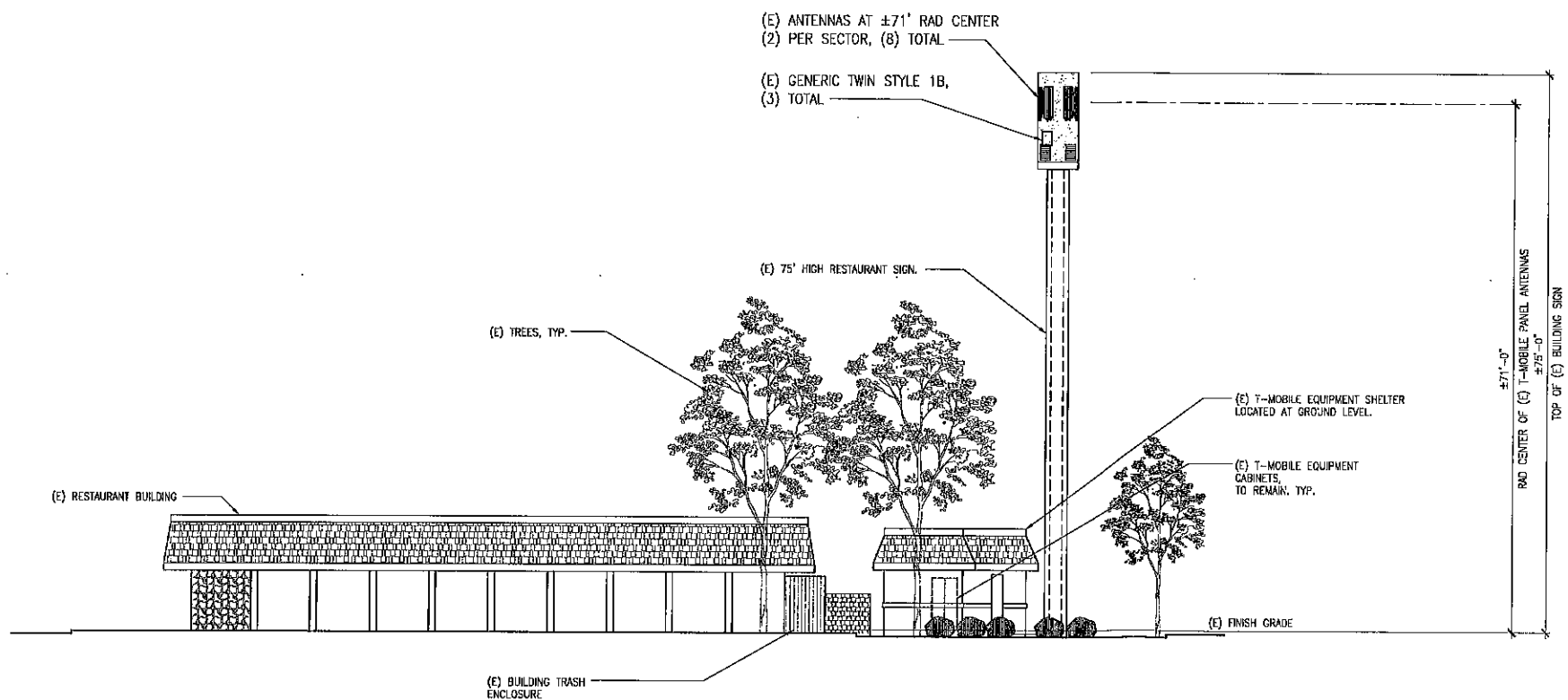


EXISTING - NORTHWEST ELEVATION





T ELEVATION



VEST ELEVATION

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10509 VISTA SORRENTO PARKWAY, SUITE 2016
SAN DIEGO, CA 92121



18401 VON KARMAN AVE, SUITE 400
IRVINE, CA, 92612

PLANS PREPARED BY: -

DCI PACIFIC
A|E|C WORKS

ARCHITECTURE | ENGINEERING | CONSULTING
32 EXECUTIVE PARK | SUITE 110
IRVINE | CA 92614

[illegible]

SITE INFORMATION: -

SD176 FAMILY RESTAURANT

SD06176B

1900 E. PLAZA BLVD
NATIONAL CITY, CA. 91950

SEAL:

—SHEET TITLE:—

ELEVATIONS

—SHEET NUMBER: —

A-4

10508 VISTA SORRENTO PARKWAY, SUITE 2016
SAN DIEGO, CA 92121



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IRVINE | CA 92614

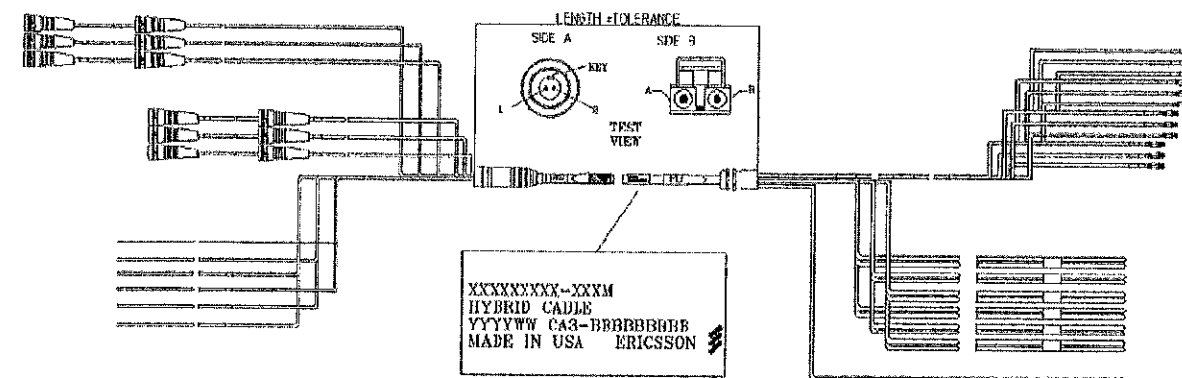
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1900 E. PLAZA BLVD
NATIONAL CITY, CA. 91950

A-6

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UL APPROVED



	6 AWG DC wires	4 AWG DC wires
Weight (kg/m)	2.5 (+/- 0.1)	3.6 (+/- 0.1)
Weight (lb/ft)	1.7 (+/- 0.1)	2.4 (+/- 0.1)
Diameter (mm)	35 (+/- 2.0 mm)	42 (+/- 2.0 mm)
Diameter (in)	1.38 (+/- 0.1")	1.66 (+/- 0.1")
Coax standard diameter equivalent	1 3/8"	1 5/8"

COMPLETE STRUCTURAL PLANS & CALC
FOR (N) FRP BOXES TO BE PROVIDED

NOT USED

SCALE:	3
N.T.S.	

ERICSSON HCS CABLE SPECIFICATIONS

SCALE:
N.T.S.

NOT USED

SCALE:	4
N.T.S.	

19

SCALE:	2
N.T.S.	

The following page(s) contain the backup material for Agenda Item: [Notice of Decision - Planning Commission approval of a Conditional Use Permit for beer and wine sales at an existing restaurant \(Birriera Negro Durazo\) located at 1604 East 18th Street. \(Applicant: Birriera Negro Durazo\) \(Case File 2018-17 CUP\) \(Planning\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.

ITEM TITLE:

Notice of Decision – Planning Commission approval of a Conditional Use Permit for beer and wine sales at an existing restaurant (Birriera Negro Durazo) located at 1604 East 18th Street (Applicant: Birriera Negro Durazo) (Case File 2018-17 CUP)

PREPARED BY: Chris Stanley C.S.

DEPARTMENT: Planning

PHONE: 619-336-4381

APPROVED BY: 

EXPLANATION:

The business has applied for a Conditional Use Permit (CUP) to sell beer and wine at an existing restaurant (Birriera Negro Durazo). The Planning Commission recommended beer and wine sales hours of 10 a.m. to 10 p.m. Sunday through Thursday and 8 a.m. to 11 p.m. Friday and Saturday. A Type 41 (On-Site Sale of Beer and Wine) license is concurrently being processed with the California Department of Alcoholic Beverage Control (ABC).

The Planning Commission conducted a public hearing on March 4, 2019. Commissioners asked questions regarding the surrounding properties and proposed sales hours. The Commission voted to approve the CUP based on required findings and subject to Conditions of Approval, subject to hours of operation noted above. A representative for the Chamber of Commerce spoke in support of the project.

The attached Planning Commission staff report describes the proposal in detail.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO.

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

Not a project per California Environmental Quality Act (CEQA).

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

BOARD / COMMISSION RECOMMENDATION:

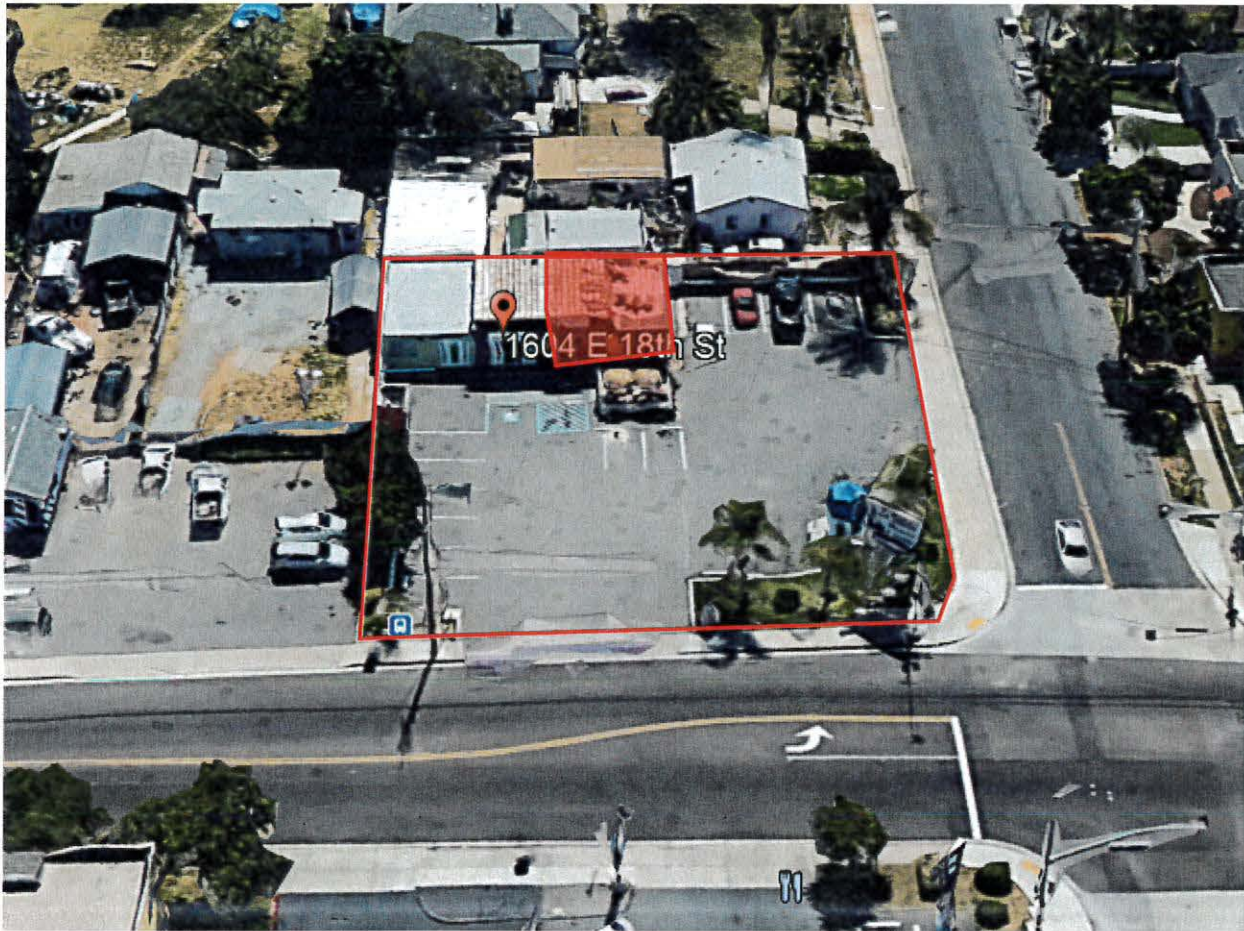
The Planning Commission approved the Conditional Use Permit.

Ayes: Flores, Yamane, Sendt, Dela Paz Absent: Baca, Garcia

ATTACHMENTS:

- | | |
|-------------------------------------|---------------------------|
| 1. Overhead | 3. Resolution No. 2019-05 |
| 2. Planning Commission Staff Report | 4. Reduced Plans |

2018-17 CUP – 1604 East 18th Street – Overhead



ATTACHMENT 1



CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR THE ON-SITE SALE OF BEER AND WINE AT AN EXISTING RESTAURANT (BIRRIERA NEGRO DURAZO) LOCATED AT 1604 EAST 18TH STREET.

Case File No.: 2018-17 CUP

Location: Southeast corner of Palm Avenue and East 18th Street

Assessor's Parcel Nos.: 561-360-46

Staff report by: Chris Stanley, Acting Assistant Planner

Applicant: Birriera Negro Durazo

Zoning designation: Minor Mixed-Use Corridor (MXC-1)

Adjacent zoning:

North: 7 Eleven, Apartments, and Single Family Housing / MXC-1, High Density Multi-Unit Residential (RM-2), and Small Lot Residential (RS-2)

East: Commercial Uses and Golf Course / MXC-1 and Open Space (OS)

South: Single Family Housing / MXC-1 and RS-2

West: Munchies Corner Store and Single Family Housing / MXC-1 and RS-2

Environmental review: Not a project per California Environmental Quality Act (CEQA)

Staff recommendation: Approve

ATTACHMENT 2

Staff Recommendation

Staff recommends approval of the on-site sale of beer and wine at an existing restaurant, "Birriera Negro Durazo", subject to the attached recommended conditions. The sale of alcohol is conditionally allowed in the Minor Mixed-Use Corridor zone and would be accessory to the restaurant. Staff is suggesting alcohol sales hours of 10:00 a.m. to 10:00 p.m., which would be consistent with recent alcohol Conditional Use Permit (CUP) approvals.

Executive Summary

The business has applied for a CUP to sell beer and wine at an existing restaurant (Birriera Negro Durazo). The hours for the sale of beer and wine, as proposed by the applicant, are 10:00 a.m. to 10:00 p.m. Sunday through Thursday and 8:00 a.m. to 11:00 p.m. Friday and Saturday. A Type 41 (On-Site Sale of Beer and Wine) license is concurrently being processed with the California Department of Alcoholic Beverage Control (ABC).

Site Characteristics

The project location is an existing 940 square-foot restaurant located at 1604 E. 18th Street. North of the property across East 18th Street are 7 Eleven, Park View Apartments, and single family housing; east are commercial businesses and a golf course; south are single family houses; west is commercial businesses and single family housing.

Proposed Use

The applicant is proposing to sell beer and wine at the existing restaurant. The floor plan provided with this application shows eight tables with 11 seats and bench seating as well as an outdoor patio with two tables and bench seating. Alcohol would be delivered to the table upon request and would only be available with the sale of food. As a condition of approval, per City Council Policy 707, signs shall be posted in the outdoor patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant or patio area and may not be taken off-premises. Proposed alcohol sales hours are from 10:00 a.m. to 10:00 p.m. Sunday through Thursday and 8:00 a.m. to 11:00 p.m. Friday and Saturday. No live entertainment is proposed.

Analysis

Section 18.30.050 of the Land Use Code allows for on-site alcohol sales with an approved CUP. Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements.

Mailing - All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 415 occupants and owners.

Community Meeting - Pursuant to Section 18.30.050 (C) of the National City Zoning Code, a community meeting was held Thursday, January 3, 2019 at 6:00 p.m. at the subject restaurant. The meeting advertisement is attached (see Attachment 7). There were no community members in attendance. According to the applicant, the same 415 occupants and owners that were notified of the public.

Distance Requirements - Chapter 18.030.050 (D) of the National City Zoning Code requires a 660-foot distance from public schools. Restaurants with greater than 30% of their area devoted to seating are exempt from this distance requirement. The property in question meets this requirement with approximately 32% of its floor area devoted to seating. Las Palmas Elementary School is approximately 630 feet away.

Alcohol Sales Concentration/Location - Per State ABC, there are currently three on-sale licenses in this census tract (121.01) where a maximum of two are recommended, therefore this census tract is considered to be over-concentrated. For reference, the alcohol outlets in the census tract are:

Name	Address	License Type*	CUP	Closing Hours
China Super Buffet	3007 Highland Ave. Ste. # 9	41	Y	9:30 p.m.
Peter Piper Pizza	3007 Highland Ave. Ste. # 112	41	-	9:00 p.m.
Guanatos	1526 E. 18 th St.	41	Y	9:00 p.m.

* Type 41 – On-Sale Beer and Wine for Bona Fide Public Eating Place

The three licenses are all restaurants. Census tract 121.01 includes the area south of East 18th Street, north of East 30th Street, east of L Avenue until 24th Street, at which point the boundary moves out to J Avenue, and west of Las

Palmas Park. The attached census tract map shows the location of the subject tract (Attachment 6).

Hours of Operation

The hours of operation for the existing license holders range from 10:00 a.m. to 9:30 p.m. for the varying properties. Recent alcohol sales hours have been between 10:00 a.m. and 10:00 p.m. The Police Department rates the sale of alcohol until 11:00 p.m. as a “two” on their rating system, which usually indicates a medium risk. With the recent sales hours approvals in mind, staff is recommending alcohol sales hours of 10:00 a.m. to 10:00 p.m. daily. Recommended conditions reflect the hours recommended by staff.

Institute for Public Strategies (IPS)

IPS had no comments on the project, but usually recommends that owners, management, and staff be required to attend Responsible Beverage Sales and Service (RBSS) training as well as ceasing the sale of beer and wine by 10:00 p.m. The RBSS training is a standard condition of City Council Policy 707 and is included as a condition of approval.

Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 12 points, which places it in the Low Risk category. Low risk is considered 1 to 12 points (Attachment 9).

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Minor Mixed-Use Corridor zone pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. A restaurant use is consistent with the Minor

Mixed-Use Corridor land use designation contained in the Land Use and Community Character element of the General Plan. In addition, the property is not within a specific plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing restaurant in an existing commercial space, which was already analyzed for traffic impacts when it was constructed. In addition, because the sale of alcohol would be accessory to the sale of food, no measurable increase in traffic is expected.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed alcohol sales would be accessory to a restaurant use, which is located in an existing commercial area. The addition of alcohol sales is not expected to increase the demand for parking on the property.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed use would be subject to conditions that limit the sale of beer and wine as well as the hours that it would be available; no beer or wine would be sold after 10:00 p.m. and would only be available with the sale of food. In addition, all business staff is required to receive RBSS training.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The project is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones. Given that there is no calculable increase in traffic and no other impacts are anticipated, staff is of the

opinion that the project would not result in any physical changes to the environment.

The following two conditions are also included with alcohol CUPs:

7. The proposed use is deemed essential and desirable to the public convenience or necessity.

In this case, alcohol sales would contribute to the viability of the restaurant, an allowed use in the Minor Mixed-Use Corridor zone.

8. Based on findings 1 through 7 above, public convenience and necessity would be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

Findings for Denial

Due to there being other on-sale sites in the area, there are also findings for denial as follows:

1. The census tract is currently over-concentrated with three on-sale licenses, where a maximum of two are recommended.
2. The proposed use is not deemed essential to the public necessity, as there are three other restaurants in census tract 121.01 that already serve beer and wine.
3. Based on finding 1 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

Conditions of Approval

Standard Conditions of Approval have been included with this permit, as well as conditions specific to on-sale alcohol sales per City Council Policy 707 (alcohol incidental to food, hours of operation, RBSS training, etc.) As a condition of approval, per City Council Policy 707, signs shall be posted in the outdoor patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant or patio area and may not be taken off-premises).

Summary

The proposed use is consistent with the General Plan due to alcohol sales for on-site consumption being a conditionally-allowed use in the Minor Mixed-Use Corridor. The proposed use would be accessory to the existing restaurant use in a commercial area. The addition of alcohol sales is not expected to increase the demand for parking, other services on the property, or have any significant effects on the area.

Options

1. Approve 2018-17 CUP subject to the conditions listed below, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2018-17 CUP based on the attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2018-17 CUP, dated 1/14/2019)
5. Public Hearing Notice (Sent to 415 property owners & occupants)
6. Census Tract & Police Beat Map
7. Community Meeting Advertisement / Sign-In Sheet
8. City Council Policy 707
9. Police Department Comments
10. Resolutions



CHRIS STANLEY
Acting Assistant Planner



RAYMOND PE
Acting Planning Director

RESOLUTION NO. 2019-05

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT FOR ON-SITE BEER AND WINE
SALES AT AN EXISTING RESTAURANT (BIRRIERA NEGRO DURAZO) LOCATED
AT 1604 EAST 18TH STREET.
CASE FILE NO. 2018-17 CUP
APN: 561-360-46

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for the on-site sale of beer and wine at an existing restaurant for a property located at 1604 East 18th Street at a duly advertised public hearing held on March 4, 2019, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2018-17 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on March 4, 2019, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales for on-site consumption is a conditionally allowed use in the Minor Mixed Use Corridor zone.
2. The proposed use is consistent with the General Plan. Alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant use is consistent with the Minor Mixed-Use land use designation contained in the Land Use and Community Character (LU) element of the General Plan. Furthermore, the property is not within a Specific Plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion is proposed, and the use would be accessory to the existing restaurant in the commercial area.
4. The site is physically suitable for the type, density, and intensity of the use being proposed, including access, utilities, and the absence of physical constraints, because the restaurant is existing and the proposed alcohol sales would be accessory to the restaurant use. The sale of alcohol is not expected to increase the demand for parking on the property.
5. Granting the permit would not constitute a nuisance, be injurious, or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be subject to conditions that limit the sale of alcohol and the hours that it will be available; no alcohol will be sold after 10 p.m. and will only be available with the sale of food; all business staff is required to receive Responsible Beverage Service & Sales (RBSS) Training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act, and because there is no development, it has been determined that the proposed use is not a project per the Act; there is no calculable increase in traffic and no other impacts are anticipated. The project would not result in any physical changes to the environment.
7. The proposed use is deemed essential and desirable to the public convenience or necessity because beer and wine sales would contribute to the viability of the restaurant, an allowed use in the Minor Mixed-Use District zone.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale of beer and wine for on-site consumption at an existing restaurant located at 1604 East 18th Street. Plans

submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2018-17 CUP, dated 1/14/2019.

2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

6. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
7. The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgement to verify that the sale of alcohol does not exceed the

sale of food. All information obtained by an investigation of records shall remain confidential.

8. Alcohol shall be available only in conjunction with the purchase of food.
9. The sale of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. and 10:00 p.m. Sunday through Thursday and from 8:00 a.m. to 11:00 p.m. Friday and Saturday.
10. Permittee shall post signs in the patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant or patio area and may not be taken off-premises.
11. This permit does not include live entertainment. If in the future the applicant chooses to add live entertainment, the Conditional Use Permit shall be amended through the Discretionary Permit process.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 4, 2019, by the following vote:

AYES: Flores, Sendt, Yamane, Dela Paz

NAYS: None.

ABSENT: Baca, Garcia

ABSTAIN: None.


CHAIRPERSON
Bill Sendt

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1. *Journal of the American Statistical Association*, 1995, 90(431), 1153-1163.

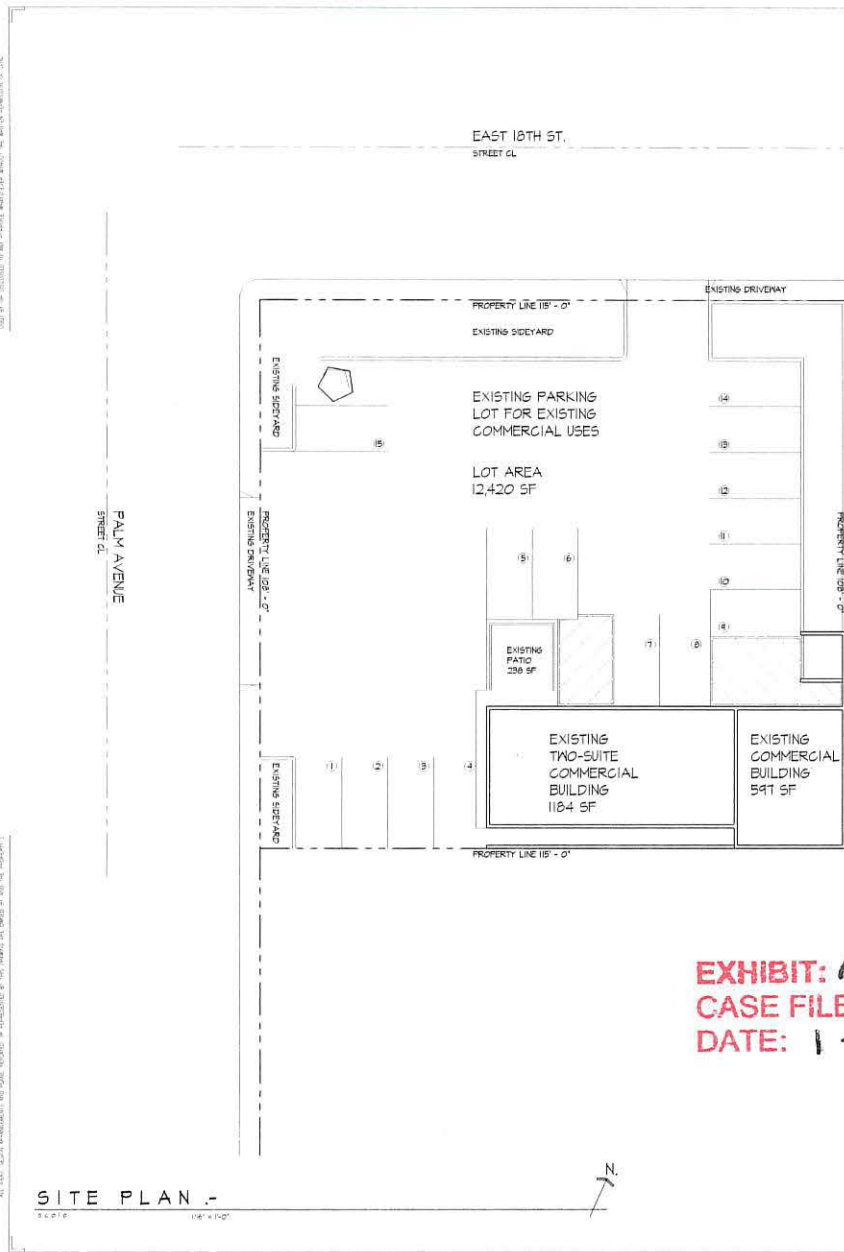


EXHIBIT: A
CASE FILE NO.: 2018-17 CUP
DATE: 1-14-19

DEVELOPMENT SUMMARY

AFFILIATE NAME: BERRERIA NEGRO EMMAO INC.
CONDITIONAL USE PERMIT REQUEST#: 2016-01-01N-PREHISE-BEER
AND FIRE LICENSE!
ASSESSOR'S PARCEL NUMBER:
561-360-46-00
ADDRESS:
1804 EAST 19TH ST.
NATIONAL CITY, CA 94150
LEGAL DESCRIPTION:
LOT 1 OF SECTION 28 LOT 1 & 2 IN BLOCK 260 OF MAP 164 ON
PAGE 51 PAGE 10 FILED ON OCTOBER 26TH 1974 WITH THE
COUNTY OF SAN DIEGO ASSessor THEREWITH STREET ADDRESS
1804 EAST 19TH STREET NATIONAL CITY COUNTY OF SAN DIEGO
STATE OF CALIFORNIA POSTAL CODE 94150
ZONING DESIGNATION: M-2.4 MINOR MIXED USE
COMMERCIAL-COMMIDOR
CATERING FOOD SERVICE
CONTRACT COMMUNICATIONS LLC.
PH. 619.552.4610
CONTACT PERSON:
PROPERTY OWNERS:
FILLIPPI UNITED LTD
4050 LAUREL AVE
MIRRETTA CA 12562

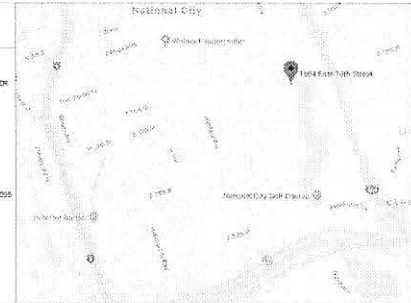
BUILDING CODE DATA

THIS PROJECT MUST COMPLY WITH:

- 2013 CALIFORNIA BUILDING CODE
- 2013 EDITION OF CALIFORNIA RESIDENTIAL CODE
- 2013 EDITION OF CALIFORNIA PLUMBING CODE
- 2013 EDITION OF CALIFORNIA ELECTRICAL CODE

SHEET INDEX

T-01	TITLE SHEET & SITE PLAN
AH-01	ARCHITECTURAL FLOOR PLAN & ELEVATIONS



SCOPE OF WORK

REQUEST FOR CONDITIONAL USE PERMIT TYPE-4 (CONDITIONAL USE PERMIT REQUEST TYPE-4) (ON PREMISE BEER AND WINE LICENSE) FOR THE EXISTING BUSINESS LOCATED AT THE THE PROPERTY. NO NEW CONSTRUCTION PROPOSED AS PART OF THIS PERMIT.

ABBREVIATIONS AND DESCRIPTIONS

[illegible][illegible]

BIRRIERIA NEGRO
DURAZO CUP

1604 EAST 18TH ST.
NATIONAL CITY, CA 92115

BIRRIERIA NEGRO DURAZO

1604 EAST 19TH ST
NATIONAL CITY, CA 91950

PLAN FILE NUMBER:

DATE _____

JOB NUMBER_

DRAWN BY_

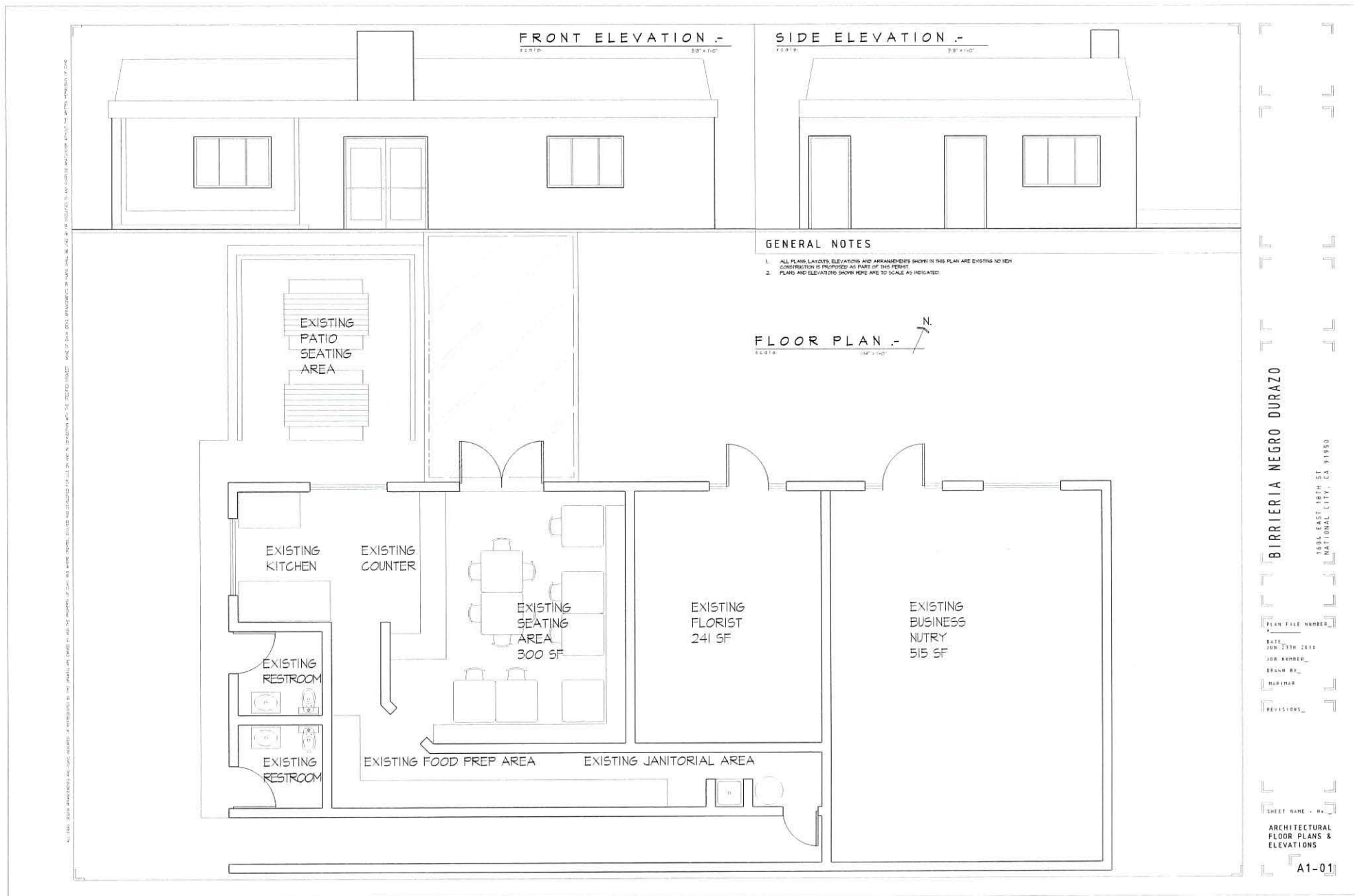
REVISIONS:

11

[illegible]

8 SITE PLAN

1-012



The following page(s) contain the backup material for Agenda Item: [Notice of Decision - Planning Commission approval of a Conditional Use Permit for beer and wine sales at an existing restaurant \(Salud!\) located at 2333 Highland Avenue. \(Applicant: San Diego Taco Company\) \(Case File 2018-16 CUP\) \(Planning\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: | March 19, 2019 |

AGENDA ITEM NO. |

ITEM TITLE:

Notice of Decision – Planning Commission approval of a Conditional Use Permit for beer and wine sales at an existing restaurant (Salud!) located at 2333 Highland Avenue. (Applicant: San Diego Taco Company) (Case File 2018-16 CUP)

PREPARED BY: Chris Stanley C.S.

DEPARTMENT: Planning

PHONE: 619-336-4381 |

APPROVED BY: 

EXPLANATION:

The business has applied for a Conditional Use Permit (CUP) to sell beer and wine at an existing restaurant (Salud!). The Planning Commission recommended alcohol sales hours of 10 a.m. to 10 p.m. Sunday through Thursday and 10 a.m. to 11 p.m. on Fridays and Saturdays. A Type 41 (On-Site Sale of Beer and Wine) license is concurrently being processed with the California Department of Alcoholic Beverage Control (ABC).

The Planning Commission conducted a public hearing on March 4, 2019. Commissioners asked questions regarding the outdoor patio and the proximity to schools. The Commission voted to approve the CUP based on required findings and subject to Conditions of Approval, subject to hours of operation noted above.

The attached Planning Commission staff report describes the proposal in detail.

FINANCIAL STATEMENT:

APPROVED: _____ **Finance**

ACCOUNT NO. |

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

Not a project per California Environmental Quality Act (CEQA).

ORDINANCE: ☐ **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Staff concurs with the decision of the Planning Commission and recommends that the Notice of Decision be filed.

BOARD / COMMISSION RECOMMENDATION:

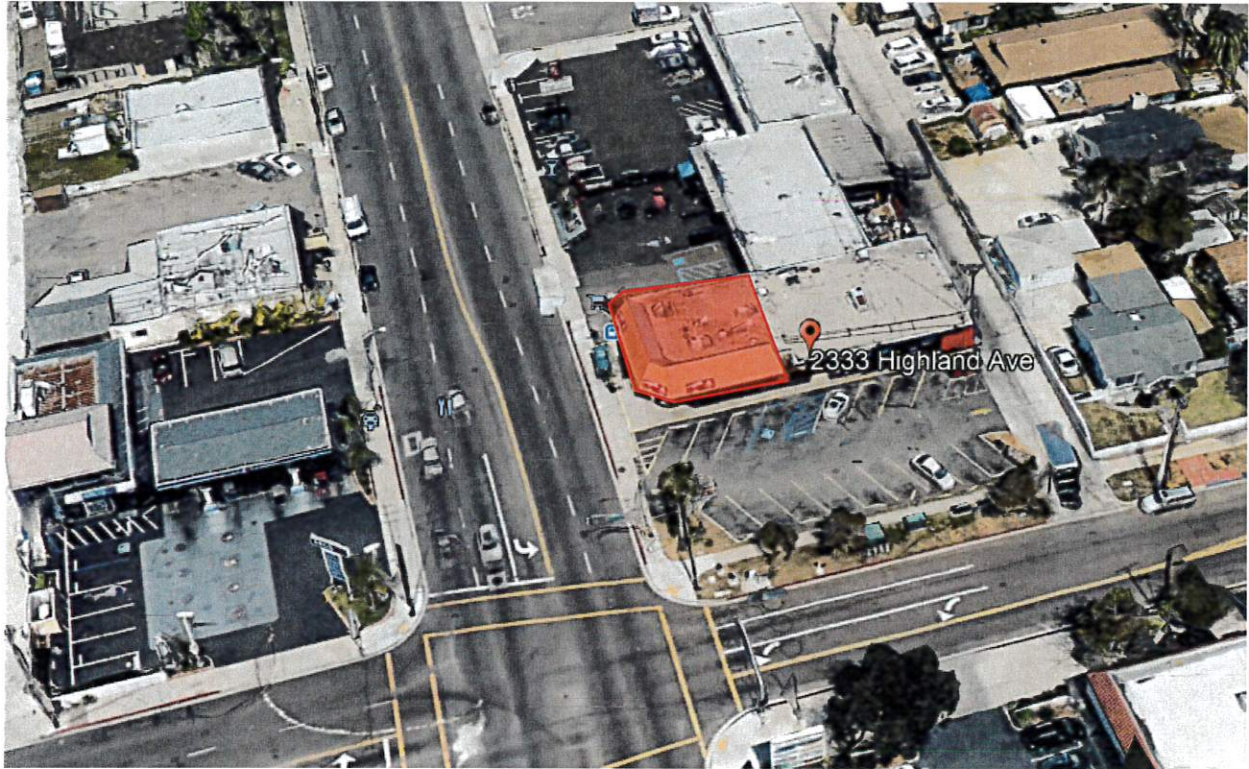
The Planning Commission approved the Conditional Use Permit.

Ayes: Flores, Yamane, Sendt, Dela Paz Absent: Baca, Garcia

ATTACHMENTS:

- | | |
|-------------------------------------|---------------------------|
| 1. Overhead | 3. Resolution No. 2019-04 |
| 2. Planning Commission Staff Report | 4. Reduced Plans |

2018-16 CUP – 2333 Highland Avenue – Overhead



ATTACHMENT 1



Item no. **4**
March 4, 2019

CITY OF NATIONAL CITY - PLANNING DEPARTMENT
1243 NATIONAL CITY BLVD., NATIONAL CITY, CA 91950

PLANNING COMMISSION STAFF REPORT

Title: PUBLIC HEARING – CONDITIONAL USE PERMIT FOR THE ON-SITE SALE OF BEER AND WINE AT AN EXISTING RESTAURANT (SALUD) LOCATED AT 2333 HIGHLAND AVENUE

Case File No.: 2018-16 CUP

Location: Northeast corner of Highland Avenue and East 24th Street

Assessor's Parcel Nos.: 561-312-11

Staff report by: Chris Stanley, Acting Assistant Planner

Applicant: San Diego Taco Company

Zoning designation: Major Mixed-Use Corridor (MXC-2)

Adjacent zoning:

North: Machete Beer House and Commercial Uses / MXC-2

East: Keg N Bottle and Single and Multi-family Residential / MXC-2 & RS-3 (Medium to Low Density Multi-Unit Residential)

South: National Plaza and Commercial Uses / MXC-2

West: ARCO, 7 Eleven, Commercial use across Highland Avenue, and Multi-family Residential / MXC-2, MXC-1 (Minor Mixed-Use Corridor, and RM-3 (Very High Density Multi-Unit Residential)

Environmental review: Not a project per California Environmental Quality Act (CEQA)

Staff recommendation: Approve

ATTACHMENT 2

Staff Recommendation

Staff recommends approval of the on-site sale of beer and wine at an existing restaurant, "SALUD", subject to the attached recommended conditions. The sale of alcohol is conditionally allowed in the Major Mixed-Use Corridor zone and would be accessory to the restaurant. Staff is suggesting alcohol sales hours of 10:00 a.m. to 10:00 p.m., which would be consistent with recent alcohol Conditional Use Permit (CUP) approvals.

Executive Summary

The business has applied for a CUP to sell beer and wine at an existing restaurant (SALUD). The hours for the sale of beer and wine, as proposed by the applicant, are 10:00 a.m. to 12:00 a.m. daily. A Type 41 (On-Site Sale of Beer and Wine) license is concurrently being processed with the California Department of Alcoholic Beverage Control (ABC).

Site Characteristics

The project location is an existing 1,400 square-foot restaurant located at 2333 Highland Avenue. Commercial businesses within the immediate vicinity are Machete Beer House directly north; Keg N Bottle to the east, with single and multi-family farther east; National Plaza to the south; and, ARCO, 7 Eleven and multi-family residential to the west.

Proposed Use

The applicant is proposing to sell beer and wine at the existing restaurant. The floor plan provided with this application shows four low tables with four seats per table for a total of 16 seats, as well as two high tables, with four seats and four stools each, for a total of 16 seats, and three high tables with bench seating. Alcohol would be delivered to the table upon request and would only be available with the sale of food. Proposed alcohol sales hours are from 10:00 a.m. to 12:00 a.m. daily. No live entertainment is proposed.

Analysis

Section 18.30.050 of the Land Use Code allows for on-site alcohol sales with an approved CUP. Additional requirements for alcohol CUPs include expanded notification, a community meeting, and distance requirements.

Mailing - All property owners and occupants within a distance of 660 feet are required to be notified of a public hearing for alcohol-related CUP applications. Notice of this public hearing was sent to 236 occupants and owners.

Community Meeting - Pursuant to Section 18.30.050 (C) of the National City Zoning Code, a community meeting was held Thursday, January 10, 2019 at 6:00 p.m. at the subject restaurant. The meeting advertisement is attached (Attachment 7). There was one community member in attendance, who is a part of the Institute for Public Strategies (IPS). According to the applicant, commercial businesses within the vicinity were discussed and the IPS member was comfortable with the proposed alcohol license. The applicant also stated that the same 236 occupants and owners that were notified of the Planning Commission were notified of the community meeting.

Distance Requirements - Chapter 18.030.050 (D) of the National City Zoning Code requires a 660-foot distance from any public school, however, restaurants with greater than 30% of their area devoted to seating are exempt from this distance requirement. The property in question meets this requirement with approximately 35% of its floor area devoted to seating. Olivewood Elementary School is approximately 500 feet away.

Alcohol Sales Concentration/Location - Per State ABC, there are currently three on-sale licenses in this census tract (116.01) where a maximum of seven are recommended. For reference, the alcohol outlets in the census tract are:

Name	Address	License Type*	CUP	Closing Hours
Senor Pancho	2030 Highland Ave.	41	-	5:00 p.m.
Machete Beer House	2325-29 Highland Ave.	42	-	2:00 a.m.
Aja Lounge	2305 Highland Ave.	48	-	2:00 a.m.

* Type 41 – On-Sale Beer and Wine for Bona Fide Public Eating Place

* Type 42 – On-Sale Beer and Wine for Public Premises

* Type 48 – On-Sale General for Public Premises

The three licenses are all restaurants. Census tract 116.01 includes the area south of East 18th Street, north of East 24th Street, east of National City Boulevard, and west of 'I' Avenue. The attached census tract map shows the location of the subject tract (Attachment 6).

Hours of Operation

The hours of operation for the existing license holders range from 9:00 a.m. to 2:00 a.m. for the varying properties. Recent alcohol sales hours have been between

10:00 a.m. and 10:00 p.m. IPS recommends that the serving of alcohol not be permitted after 10:00 p.m. The Police Department rates the sale of alcohol after 11:00 p.m. as a “three” on their rating system, which usually indicates a high risk. With both the Police Department and IPS comments in mind, staff is recommending alcohol sales hours of 10:00 a.m. to 10:00 p.m. daily. Recommended conditions reflect the hours recommended by staff.

IPS

IPS provided comments recommending that owners, management, and staff be required to attend Responsible Beverage Sales and Service (RBSS) training as well as the sale of beer and wine ceasing by 10:00 p.m. The RBSS training is a standard condition of City Council Policy 707 and is included as a condition of approval.

Police Department (PD)

The ABC Risk Assessment provided by PD allocated a total of 12 points, which places it in the Low Risk category. Low risk is considered 1 to 12 points (see Attachment 9).

Findings for Approval

The Municipal Code contains six required findings for CUPs as follows:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code.

The use is allowable within the Major Mixed-Use Corridor zone pursuant to a CUP, and the proposed use meets the required guidelines in the Land Use Code for alcohol sales, as discussed in the staff report.

2. The proposed use is consistent with the General Plan and any applicable specific plan.

Alcohol sales are permitted, subject to a CUP, by the Land Use Code, which is consistent with the General Plan. A restaurant use is consistent with the Major Mixed-Use Corridor land use designation contained in the Land Use and Community Character element of the General Plan. In addition, the property is not within a specific plan area.

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity.

No expansion of the building is proposed. The proposal involves an existing restaurant in an existing commercial space, which was already analyzed for traffic impacts when it was constructed. In addition, because the sale of alcohol would be accessory to the sale of food, no measurable increase in traffic is expected.

4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints.

The proposed alcohol sales would be accessory to a restaurant use, which is located in an existing commercial area. The addition of alcohol sales is not expected to increase the demand for parking on the property.

5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located.

The proposed use will be subject to conditions that limit the sale of beer and wine as well as the hours that it will be available; no beer or wine will be sold after 10:00 p.m. and will only be available with the sale of food. In addition, all business staff is required to receive RBSS training.

6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

The project is not considered a project under CEQA, as no development is proposed. In addition, the proposed use is similar to other commercial uses in the area, which are permitted by right in the mixed-use zones. Given that there is no calculable increase in traffic and no other impacts are anticipated, staff is of the opinion that the project would not result in any physical changes to the environment.

The following two conditions are also included with alcohol CUPs:

7. The proposed use is deemed essential and desirable to the public convenience or necessity.

In this case, alcohol sales would contribute to the viability of the restaurant, an allowed use in the Major Mixed-Use Corridor zone.

8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

Findings for Denial

Due to there being other on-sale sites in the area, there are also findings for denial as follows:

1. The proposed use is not deemed essential to the public necessity, as there are three other restaurants in census tract 116.01 that already serve beer and wine.
2. Based on finding 1 above, public convenience and necessity will not be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

Conditions of Approval

Standard Conditions of Approval have been included with this permit, as well as conditions specific to on-sale alcohol sales per City Council Policy 707 (alcohol incidental to food, hours of operation, RBSS training, etc.).

Summary

The proposed use is consistent with the General Plan due to alcohol sales for on-site consumption being a conditionally-allowed use in the Major Mixed-Use Corridor. The proposed use would be accessory to the existing restaurant use in a commercial area. The addition of alcohol sales is not expected to increase the demand for parking, other services on the property, or have any significant effects on the area.

Options

1. Approve 2018-16 CUP subject to the conditions listed below, based on the attached findings, or findings to be determined by the Planning Commission; or
2. Deny 2018-16 CUP based on the attached finding or findings to be determined by the Planning Commission; or,
3. Continue the item to a specific date in order to obtain additional information.

Attachments

1. Recommended Findings
2. Recommended Conditions of Approval
3. Overhead
4. Applicant's Plans (Exhibit A, Case File No. 2018-16 CUP, dated 1/14/2019)
5. Public Hearing Notice (Sent to 236 property owners & occupants)
6. Census Tract & Police Beat Map
7. Community Meeting Advertisement / Sign-In Sheet / Minutes
8. City Council Policy 707
9. Police Department Comments
10. Resolutions



CHRIS STANLEY
Acting Assistant Planner



RAYMOND PE
Acting Planning Director

RESOLUTION NO. 2019-04

A RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF NATIONAL CITY, CALIFORNIA
APPROVING A CONDITIONAL USE PERMIT FOR ON-SITE BEER AND WINE
SALES AT AN EXISTING RESTAURANT (SALUD!) LOCATED AT 2333 HIGHLAND
AVENUE.
CASE FILE NO. 2018-16 CUP
APN: 561-312-11

WHEREAS, the Planning Commission of the City of National City considered a Conditional Use Permit for the on-site sale of beer and wine at an existing restaurant for a property located at 2333 Highland Avenue at a duly advertised public hearing held on March 4, 2019, at which time oral and documentary evidence was presented; and,

WHEREAS, at said public hearings the Planning Commission considered the staff report contained in Case File No. 2018-16 CUP maintained by the City and incorporated herein by reference along with evidence and testimony at said hearing; and,

WHEREAS, this action is taken pursuant to all applicable procedures required by State law and City law.

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission of the City of National City, California, that the testimony and evidence presented to the Planning Commission at the public hearing held on March 4, 2019, support the following findings:

1. The proposed use is allowable within the applicable zoning district pursuant to a Conditional Use Permit and complies with all other applicable provisions of the Land Use Code, because alcohol sales for on-site consumption is a conditionally allowed use in the Major Mixed Use Corridor zone.
2. The proposed use is consistent with the General Plan. Alcohol sales are permitted, subject to a Conditional Use Permit, by the Land Use Code, which is consistent with the General Plan. In addition, a restaurant use is consistent with the Major Mixed-Use land use designation contained in the Land Use and Community Character (LU) element of the General Plan. Furthermore, the property is not within a Specific Plan area.

ATTACHMENT 3

3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity, because no expansion is proposed, and the use would be accessory to the existing restaurant in the commercial area.
4. The site is physically suitable for the type, density, and intensity of the use being proposed, including access, utilities, and the absence of physical constraints, because the restaurant is existing and the proposed alcohol sales would be accessory to the restaurant use. The sale of alcohol is not expected to increase the demand for parking on the property.
5. Granting the permit would not constitute a nuisance, be injurious, or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zone in which the property is located, because the proposed use will be subject to conditions that limit the sale of alcohol and the hours that it will be available; no alcohol will be sold after 10 p.m. and will only be available with the sale of food; all business staff is required to receive Responsible Beverage Service & Sales (RBSS) Training.
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act, and because there is no development, it has been determined that the proposed use is not a project per the Act; there is no calculable increase in traffic and no other impacts are anticipated. The project would not result in any physical changes to the environment.
7. The proposed use is deemed essential and desirable to the public convenience or necessity because beer and wine sales would contribute to the viability of the restaurant, an allowed use in the Major Mixed-Use District zone.
8. Based on findings 1 through 7 above, public convenience and necessity will be served by a proposed use of the property for the retail sales of alcoholic beverages pursuant to law.

BE IT FURTHER RESOLVED that the application for a Conditional Use Permit is approved subject to the following conditions:

General

1. This Conditional Use Permit authorizes the sale of beer and wine for on-site consumption at an existing restaurant located at 2333 Highland Avenue. Plans

submitted for permits associated with this project shall conform to Exhibit A, Case File No. 2018-16 CUP, dated 1/14/2019.

2. Before this *Conditional Use Permit* shall become effective, the applicant and the property owner shall both sign and have notarized an Acceptance Form, provided by the Planning Department, acknowledging and accepting all conditions imposed upon the approval of this permit. Failure to return the signed and notarized Acceptance Form within 30 days of its receipt shall automatically terminate the *Conditional Use Permit*. The applicant shall also submit evidence to the satisfaction of the Planning Department that a Notice of Restriction on Real Property is recorded with the County Recorder. The applicant shall pay necessary recording fees to the County. The Notice of Restriction shall provide information that conditions imposed by approval of the *Conditional Use Permit* are binding on all present or future interest holders or estate holders of the property. The Notice of Restriction shall be approved as to form by the City Attorney and signed by the Deputy City Manager prior to recordation.
3. This permit shall become null and void if not exercised within one year after adoption of the resolution of approval unless extended according to procedures specified in the Municipal Code.
4. This permit shall expire if the use authorized by this resolution is discontinued for a period of 12 months or longer. This permit may also be revoked, pursuant to provisions of the Land Use Code, if discontinued for any lesser period of time.
5. This *Conditional Use Permit* may be revoked if the operator is found to be in violation of any Conditions of Approval.

Planning

6. All sellers and servers of alcohol shall receive Responsible Beverage Service and Sales (RBSS) training, including all owners, and managers. The RBSS training must be certified by the Department of Alcoholic Beverage Control (ABC). Proof of completion of an approved RBSS program must be provided prior to issuance of a city business license. As part of the RBSS training, the permittee shall make available a domestic violence training session as provided by the Institute of Public Strategies.
7. The sale of alcohol shall not exceed the sale of food. With the annual renewal of the City business license, the business proprietor shall submit a statement clearly indicating total alcoholic beverage sales and total food sales. Said statement shall be subject to audit and verification by employees of the City, who are authorized to examine, audit and inspect such books and records of the license, as may be necessary in their judgement to verify that the sale of alcohol does not exceed the

sale of food. All information obtained by an investigation of records shall remain confidential.

8. Alcohol shall be available only in conjunction with the purchase of food.
9. The sale of alcoholic beverages shall be permitted only between the hours of 10:00 a.m. and 10:00 p.m. Sunday through Thursday and from 10:00 a.m. to 11:00 p.m. on Friday and Saturday.
10. Permittee shall post signs in the patio dining area, including all exits to outdoor seating areas, indicating that alcoholic beverages must be consumed inside the restaurant or patio area and may not be taken off-premises.
11. This permit does not include live entertainment. If in the future the applicant chooses to add live entertainment, the Conditional Use Permit shall be amended through the Discretionary Permit process.

BE IT FURTHER RESOLVED that copies of this Resolution be transmitted forthwith to the applicant and to the City Council.

BE IT FINALLY RESOLVED that this Resolution shall become effective and final on the day following the City Council meeting where the Planning Commission resolution is set for review, unless an appeal in writing is filed with the City Clerk prior to 5:00 p.m. on the day of that City Council meeting. The City Council may, at that meeting, appeal the decision of the Planning Commission and set the matter for public hearing.

CERTIFICATION:

This certifies that the Resolution was adopted by the Planning Commission at their meeting of March 4, 2019, by the following vote:

AYES: Flores, Sendt, Yamane, Dela Paz

NAYS: None.

ABSENT: Baca, Garcia

ABSTAIN: None.


CHAIRPERSON
Bill Sendt

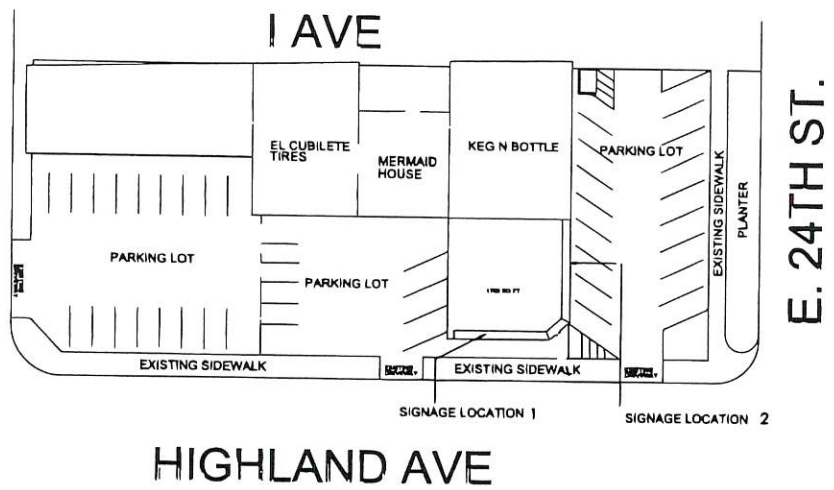
2

Site Plan

ATTACHMENT 4

SALUD!
NATIONAL CITY

SITE PLAN



VICINITY MAP

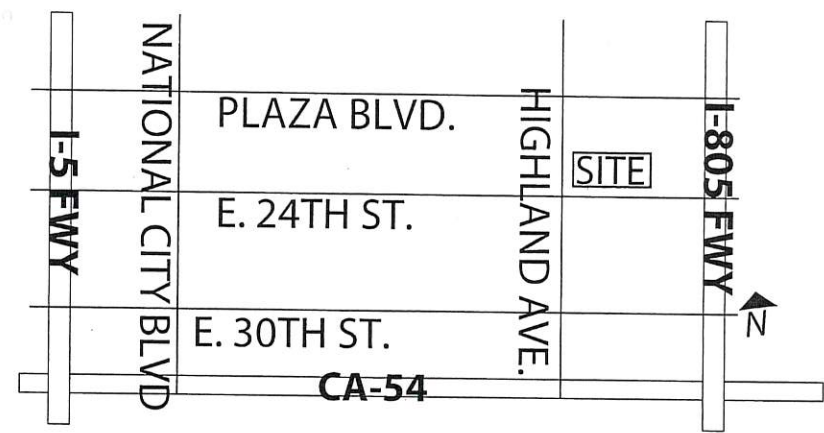
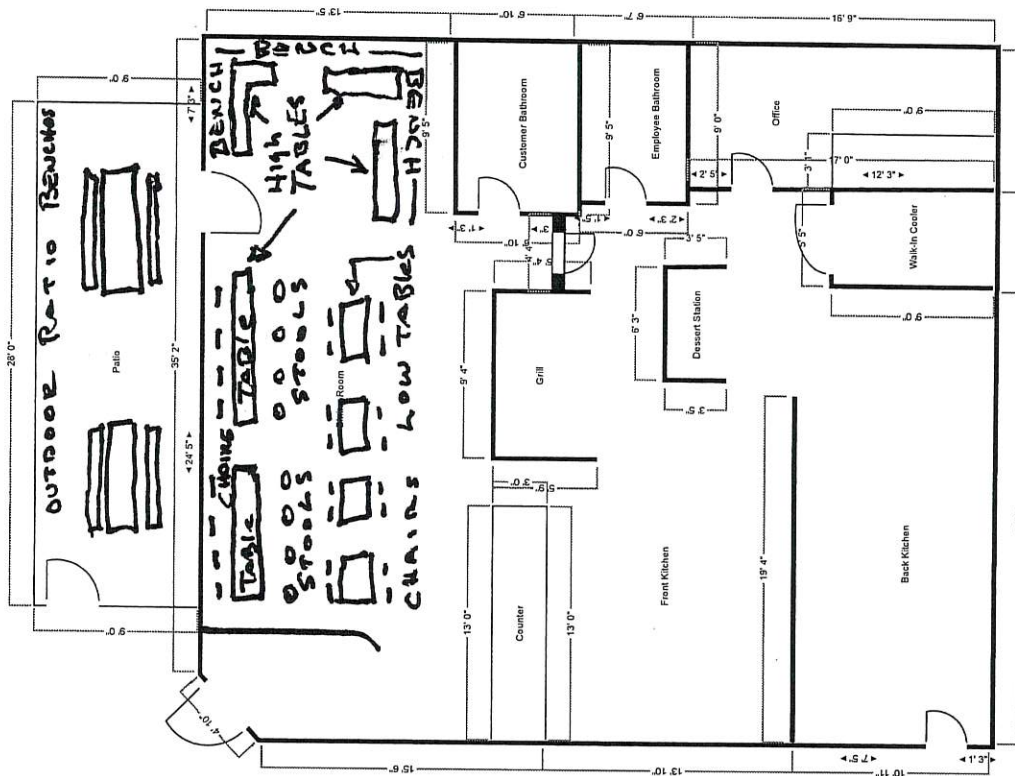


EXHIBIT: A
CASE FILE NO.: 2018-16 CUP
DATE: 1-14-19

LANDLORD APPROVAL
CLIENT APPROVAL

COMPANY NAME	San Diego Taco Co. Inc.	DATE	6.25.18	DESIGNER	Max Bojorquez
LOCATION	2333 Highland Ave. National City CA. 91950	PHONE NUMBER	619.348.4779		Max B DSigs 619.750.3173 - Maxbdsigs@gmail.com
CONTACT	Ernest Becerra	WORK ORDER NUMBER			

1 Floor Plan



SALUD! NATIONAL CITY

DEVELOPMENT SUMMARY

Applicant: San Diego Taco Company c/o Ernest Pio Vincent Becerra III;
Conditional Use Permit Request: Type-41 (On Premise Beer & Wine License);
Location: 2333 Highland Avenue, National City, CA 91950;
APN: 561-312-1100;

Legal Description: Lot 7, 8, 9, and 10, Block 13 of Wilburs's Addition to National City, according to Map No. 251, filed in the Office of the County Recorder of San Diego County, September 2, 1887.;

Owners Name: Mama Berna, LLC;
Owners Address: 6060 El Cajon Blvd., El Cajon, CA 92115;
Zone: MXC-2 Major Mixed-Use Corridor;

LANDLORD APPROVAL
CLIENT APPROVAL

COMPANY NAME	San Diego Taco Co. Inc.	DATE	6.25.18	DESIGNER	Max Bojorquez
LOCATION	2333 Highland Ave. National City CA. 91950	PHONE NUMBER	619.348.4779		Max B DSigs 619.750.3173 - Maxbdsigns@gmail.com
CONTACT	Ernest Becerra	WORK ORDER NUMBER			

The following page(s) contain the backup material for Agenda Item: [City Council 2019
Legislative Recess. \(City Manager\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO. _____

ITEM TITLE:

City Council 2019 Legislative Recess.

PREPARED BY: Leslie Deese, City Manager

PHONE: 619-336-4242

DEPARTMENT: City Manager

APPROVED BY: 

EXPLANATION:

Please see attached Staff Report.

FINANCIAL STATEMENT:

ACCOUNT NO.

N/A

APPROVED: _____

Finance

APPROVED: _____

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Request City Council direction on observing a City Council legislative recess. Should the Council desire a recess, staff recommends the City Council consider the month of August.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Staff Report and Summer Activities

City Council 2019 Legislative Recess

Staff Report:

Since 2014, the City Council has observed a legislative recess during the summer to provide city staff and elected officials an opportunity to catch up on work, reenergize after a lengthy budget process, and prepare for the start of a new fiscal year. The purpose of this agenda item is to determine whether the City Council wants to once again consider a recess in 2019.

Background:

Observing a legislative recess from a city's council meeting schedule is practiced by a number of San Diego County cities that recess both in the summer and winter. Some cities, the State Legislature, and quasi-governmental entities such as the San Diego Association of Governments (SANDAG), recess over an entire month, generally in the summer. While National City does not have a formal recess scheduled for summer or winter, due to the holiday/ furlough closure, we have traditionally adjusted the meeting schedule in December and January to either dispense with or move one or more of the regular Tuesday meetings. Last year, the City Council voted to recess during the month of August. The previous four years, the Council voted to recess during the month of July, except for 2013 when the Council voted to recess and dispense with the second meeting in July.

Discussion:

To assist the City Council with its decision, staff notes the following:

- There are five Tuesdays in July. Should the Council recess in July, there would be six weeks between meetings (June 18 – August 6). As a reminder, the first meeting in August (this year, August 6) typically begins at 5pm due to the "National Night Out Against Crime" event.
- There are four Tuesdays in August. Should the Council recess in August, there would be six weeks between meetings (July 16 – September 3). City offices will be closed on Monday, September 2 in recognition of Labor Day.

Provided for reference is a listing of upcoming meetings, community events and observed holidays for the summer months (Attachment 1). Please note that the calendar reflects only those events that we are aware of and have dates for; additionally, some of the events are tentative or do not yet have dates or are pending City Council approval.

Staff Recommendation:

Staff requests City Council direction on observing a legislative recess. Should the Council desire a recess, staff recommends the Council consider the month of August. In accordance with NCMC Section 2.04.020, any regular meeting may be dispensed with by a vote.

June	
Event	Date
28 th Annual Fire & Safety Expo and Firefighters Demolition Derby	Saturday, June 1, 2019
10 th Annual Mabuhay Festival	Saturday, June 1, 2019
Las Palmas 5k and 1-Mile Walk	Saturday, June 1, 2019
City Council Meeting & Adoption of Budget	Tuesday, June 4, 2019
Library's Summer Reading Program Party	June 6 through July 18, 2019
"NC Gets Active" Scavenger Hunt & Community Breakfast	Saturday, June 8, 2019
City Council Meeting	Tuesday, June 18, 2019
Summer Concert Series @ Pepper Park	Saturday, June 22, 2019
"National City Day" at San Diego County Fair	TBD
July	
Event	Date
City Council Meeting	Tuesday, July 2, 2019
Lions Club Annual 4 th of July Carnival	Wednesday, July 3 – Sunday, July 7, 2019
Independence Day (City Hall closed)	Thursday, July 4, 2019
Miss National City Educational Pageant @ Kimball Park	Saturday, July 6, 2019
City Council Meeting	Tuesday, July 16, 2019
Summer Movies In The Park @ El Toyon Park	Saturday, July 20, 2019
August	
Event	Date
National Night Out & Movie in the Park @ Kimball Park	Tuesday, August 6, 2019
City Council Meeting – Meeting starts at 5:00 PM	Tuesday, August 6, 2019
City Council Meeting / PA and JPFA Regular Meeting	Tuesday, August 20, 2019
Library's 4th Annual "The Face Behind the Art" Art Festival	TBD – Month of August
Auto Heritage Day	TBD
Relay for Life	TBD
September	
Event	Date
Labor Day (City Hall Closed)	Monday, September 2, 2019

City Council Meeting	Tuesday, September 3, 2019
Summer Movies in the Park @ Las Palmas Pool	Saturday, September 7, 2019
9/11 Memorial Breakfast & Remembrance Ceremony	Wednesday, September 11, 2019
"NC Gets Active" and Neighborhood Council Breakfast	Saturday, September 14, 2019
City Council Meeting	Tuesday, September 17, 2019
Volunteer Appreciation Dinner	Friday, September 20, 2019 (Tentative)
Summer Concert Series @ Pepper Park	Saturday, September 28, 2019

The following page(s) contain the backup material for Agenda Item: [City Council discussion and direction on draft/amended City Council Policy #104 - Rules of Procedure and Order for City Council Meetings. \(City Manager\)](#)

Please scroll down to view the backup material.

**CITY OF NATIONAL CITY, CALIFORNIA
COUNCIL AGENDA STATEMENT**

MEETING DATE: March 19, 2019

AGENDA ITEM NO.

ITEM TITLE: City Council discussion and direction on draft/amended City Council Policy #104 – Rules of Procedure and Order for City Council Meetings

PREPARED BY: Leslie Deese, City Manager

DEPARTMENT: City Manager

PHONE: 619.336.4242

APPROVED BY: 

EXPLANATION:

On December 4, 2018, the City Council considered draft Council Policy #104 – Rules of Procedure and Order for City Council Meetings. After discussing the item, Council provided direction and requested clarification on meeting location, adjournment, public comment, seating arrangement, agenda sequence, motions, and length of time for presentations.

Additionally, staff added language to include responsibilities of the city attorney and other minor language changes.

The draft/amended policy is provided for further discussion and direction.

FINANCIAL STATEMENT:

ACCOUNT NO. N/A

APPROVED: _____ **Finance**

APPROVED: _____ **MIS**

ENVIRONMENTAL REVIEW:

N/A

ORDINANCE: **INTRODUCTION:** ☐ **FINAL ADOPTION:** ☐

STAFF RECOMMENDATION:

Request City Council direction.

BOARD / COMMISSION RECOMMENDATION:

N/A

ATTACHMENTS:

1. Draft – City Council Policy #104 – Rules of Procedure and Order for City Council Meetings
2. Strikeout – City Council Policy #104 – Rules of Procedure and Order for City Council Meetings

**City of National City
City Council Policy #104**

DRAFT

**Rules of Procedure and Order for
City Council Meetings**

Adopted: December 13, 1983

Amended: TBD

DRAFT

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DRAFT

I. PURPOSE

The purpose of this Policy is to establish Rules of Procedure and Order for City officials, staff and members of the public at all meetings of the City Council to ensure that the business of the City is attended to in an open and orderly manner and in an environment safe for all persons in attendance. The policy establishes and delineates general meeting rules, roles and responsibilities, to allow for an orderly meeting where all individuals can exercise their Constitutional rights.

All meetings of the City Council will be conducted under Rosenberg's Rules of Order. In addition, such meetings will be governed in accordance with the Ralph M. Brown Act (Gov. Code § 54950, hereinafter "the Brown Act") and other applicable State laws. Any question about proper procedure will be immediately referred to the City Clerk as parliamentarian.

This policy applies to all persons attending public meetings in the City Council Chambers or any other location where a meeting subject to this policy takes place. In the event of any inconsistency between this policy and State law or regulation, State law or regulation shall apply.

II. RESPONSIBILITIES

It is important to recognize that the City Council acts as a legislative body. No member has extraordinary powers beyond those of other members. While the Mayor and Vice Mayor may have additional ceremonial and administrative responsibilities, in the establishment of policies, voting and in other significant areas, all members are equal. Policy is established and direction is given to City staff by a majority vote of the Council.

While individual Councilmembers may disagree with decisions of the majority, a decision of the majority binds the Council to a course of action and provides staff with direction to follow. In turn, it is staff's responsibility to ensure the policy of the Council is implemented and upheld consistent with the wishes of the majority. Implementation of Council policy by staff does not reflect a bias against Councilmembers who held a minority opinion on an issue.

- A. Responsibilities of Presiding Officer/Mayor: The Presiding Officer of the City Council, shall be the Mayor, or in the Mayor's absence the Vice Mayor, or in both of their absence any other member designated by the City Council. It shall be the duty of the Presiding Officer to ensure that the Rules of Procedure and Order contained herein are observed. The Presiding Officer shall maintain control of communication between Councilmembers and between the Council, staff, and members of the public. The Presiding Officer may make and second motions.

B. Responsibilities of Vice Mayor: In the absence of the Mayor from the City or a Council meeting, the Vice Mayor shall possess all the powers of the office of the Mayor, and be subject to all prescribed duties for that office.

C. Responsibilities of City Council:

1. Members of the City Council shall review all meeting materials in preparation for Council meetings and be prepared to discuss the agenda.
2. Members of the City Council shall arrive on time for all Council meetings.
3. Members of the City Council shall conduct themselves in an orderly, professional and businesslike manner to ensure that the business of the City shall be attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process of the City Council is maintained at all times.
4. Members of the City Council shall maintain a polite, respectful and courteous manner when addressing one another, City staff, and members of the public during City Council meetings.
5. As a courtesy, members of the City Council shall report upcoming absences or out of town trips to the City Manager as soon as possible to ensure that any necessary adjustments to the agenda may be made, and to ensure a quorum.

D. Responsibilities of City Clerk:

1. The City Clerk shall serve as the Parliamentarian for the City Council meetings to advise the Presiding Officer. Within the limitations imposed by Rosenberg's Rules of Order, the Presiding Officer has the authority to determine proper parliamentary procedure.
2. The City Clerk shall call and record roll call votes; and shall read ordinance titles and agenda items as requested by the Presiding Officer.
3. The City Clerk shall keep minutes of the open meeting in accordance with City Council Policy No. 106, and disposition of video recordings of those proceedings.

E. Responsibilities of City Manager:

1. The City Manager's duties during City Council meetings include keeping a record of concerns raised by the City Council regarding direction for future staff action and facilitating the orderly presentation of staff reports.

F. Responsibilities of City Attorney:

1. The City Attorney's duties during City Council meetings is to consult with Council on items of concern on the agenda and to pro-actively inform and protect Councilmembers from potential violations and conflicts of law.

III. MEETINGS

- A. Regular Meeting: The City Council shall hold regular meetings on the first and third Tuesday of each month. The meetings shall be held in the Council Chambers of City Hall, 1243 National City Boulevard in the City of National City. The regular meeting shall begin at 6:00 p.m., or as otherwise scheduled due to the demand of business or for closed session.
- B. Adjourned Meeting: The City Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. If a quorum is not present, less than a quorum may so adjourn.
- C. Special Meeting: A special meeting may be called at any time by the Mayor whenever the public business may require it or upon direction by a majority of the City Council. The call and notice shall be posted at least twenty-four (24) hours prior to the special meeting in a location that is accessible to members of the public.
- D. Emergency Meeting: Pursuant to the Government Code, the twenty-four (24) hour notice and posting requirements for a special meeting may be dispensed with under the following emergency conditions: work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body, except in the case of a dire emergency.
- E. Recessed Meeting: Pursuant to the Government Code, a meeting of the City Council may recess to the following regular business day if the action is taken in good faith and not to circumvent the requirements of the Brown Act. The meeting may not be recessed to another day after that unless it is posted in accordance with the Brown Act.
- F. Closed Session Meeting: The City Council may hold closed sessions during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which is authorized to be heard or considered in closed session in accordance with State law. If a closed session is included on the agenda, the description of the item need only identify the statutory basis for the closed session, and need not include the specific topic which is the subject of the closed session, unless otherwise required by law. For each closed session, the body must orally announce the subject matter of the closed session. If final action is taken in closed session, the body generally must report the action at the conclusion of the closed session.

No minutes of the proceedings of the City Council during closed session are required. There shall be no closed session during any special emergency meeting. No person present in a closed session shall disclose, outside of the closed session, any information revealed in such closed session, without the prior authorization of a majority of the City Council. Any violation of this policy may be enforced by one or more of the actions delineated in City Council Policy No. 113.

- G. Quorum: A quorum at any meeting of the City Council will be established by the presence of three (3) members of the City Council. The Mayor shall count as a Councilmember for the establishment of a quorum.
- H. City Council Recess Periods: The City Council has traditionally observed a recess period during the summer to provide elected officials and staff an opportunity to catch up on work, reenergize after a lengthy budget and strategic planning process, and prepare for the start of a new fiscal year. For purposes of this policy, a recess period is defined as a period of time longer than thirteen (13) days without a regular or special meeting of the Council.

During any recess period, the City Manager is authorized to take such ministerial actions on matters of operational urgency as would normally be taken by the Council during the recess except for those duties specifically reserved to the Council by Government Code, and including such emergency actions as are necessary for the immediate preservation of the public peace, health or safety. The City Manager shall make a full and complete report to the Council at its first regularly scheduled meeting following the recess of actions taken by the City Manager pursuant to this section, at which time the City Council may make such findings as may be required and confirm said actions of the City Manager.

- I. Cancellation of Meetings: Any meeting of the City Council may be cancelled in advance by a majority vote of the Council. In the event that the Mayor and/or Vice Mayor are unable to cancel a meeting, in the case of an emergency the City Manager is authorized to cancel such meeting.
- J. Location of Meetings: Regular meetings of the City Council shall be held in the Council Chambers unless appropriate notice is given pursuant to and the location of the meeting is in accordance with the Brown Act. The City Council may hold a special meeting at another location within the City, or locations outside the jurisdiction of the City, provided appropriate notice is given pursuant to and the location of the meeting is in accordance with the Brown Act.
- K. Holidays or Elections: In the event that the regular meeting of the City Council falls on a legal holiday, or an election day on which a National City candidate or National City measure appears on the ballot, no meeting will be held on such day. Any regular

meeting may be dispensed with by a majority vote of the City Council.

- L. Adjournment: It is the policy of the City Council that that all evening meetings of the City Council, including special meetings and workshops, be adjourned no later than 10:30 p.m., which time is referred to as the normal time of adjournment. The meeting shall be extended no more than once and subsequently may be adjourned to a later date. No new item of business shall be taken up by the Council after the normal time unless the Council has determined by a super-majority vote to set aside this policy. In the event the entire agenda cannot be completed by the normal time of adjournment, the Council may take up and act upon the more pressing agenda items. All agenda items not considered at the meeting shall be on the agenda of the next regular, special, or adjourned regular meeting unless the Council directs otherwise.
- M. Taping or Broadcasting: Meetings may be broadcast, audio-recorded, video-recorded or "live" streamed so long as the activity does not constitute a disruption of the proceeding.
- N. Teleconferencing: Teleconferencing shall be allowed as per Government Code. Teleconference meetings may be held under carefully defined conditions. The meeting notice must specifically identify all teleconference locations, and each such location must be fully accessible to members of the public.
- O. Agenda Exception: Special procedures permit a body to proceed without an agenda in the case of emergency circumstances, or where a need for immediate action came to the attention of the body after posting of the agenda. (Reference Section VIII, A.5 – Non-Agenda Items Requiring Immediate Action)
- P. Comfort Breaks: It is the policy of the City Council that the Presiding Officer will call comfort breaks of 5-10 minutes when a meeting is expected to last more than two hours. While it is not possible to predict the duration of a meeting, scheduled breaks allow participants to not miss any part of the meeting and help stay alert and maintain a high level of concentration and participation.
- Q. Use of Personal Electronic Devices: The use of personal electronic devices on the dais shall be limited to official agenda-related tasks and emergency notifications. If, in the opinion of the Presiding Officer, a Councilmember's use of an electronic device is disruptive to Council deliberations or disrespectful to the public, the Presiding Officer may request that the Councilmember cease his or her use of such device.
- R. Translation Services: Simultaneous Spanish interpreting services are provided at City Council meetings, through the use of headsets. An interpreter is also available to interpret for speakers who wish to address the Council.
- S. Compliance with Brown Act: All regular, special and adjourned meetings of the City Council shall be called, noticed and conducted in compliance with the Brown Act.

IV. REMOTE ACCESS TO MEETINGS

- A. Internet Broadcast: “Live” streaming video of City Council meetings is available at www.nationalcityca.gov. Archived meetings are also available online.
- B. E-Notification: Individuals may sign up via the City’s website to receive email notifications of published City Council and board and commission meeting agendas, City news, special events and more.

V. PUBLIC ASSISTANCE & ACCOMMODATIONS

Upon request, the City Council agenda and backup materials will be made available in alternative formats. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, may request a modification, accommodation, aid, or service by contacting the City Clerk’s Office either in person or by telephone no later than 10:00 a.m. on the day preceding the scheduled meeting.

VI. PUBLIC MEETING COMMUNICATIONS

- A. Communications between City Councilmembers:
 - 1. Councilmembers wishing to speak should request the floor by being recognized by the Presiding Officer before speaking. The Presiding Officer must recognize any Councilmember who seeks the floor when appropriately entitled to address the City Council.
 - 2. No Councilmember shall speak again until all Councilmembers have had the opportunity to speak.
 - 3. Councilmembers shall remember that the purpose of the Council meeting is to conduct the business of the City. Councilmembers shall avoid repetition and shall limit their comments to the subject matter at hand. Councilmembers shall endeavor to express their views without engaging in unnecessarily lengthy debates.
 - 4. When one Councilmember is speaking, other Councilmembers shall not interrupt, disrupt or disturb the speaker. During questions and deliberations, the Presiding Officer may vary the speaking sequence of Councilmembers from item to item.
- B. Email Communications between City Councilmembers: Because email communications can ultimately lead to the exchange of information intended to, or which may, create collective concurrence among a quorum of Councilmembers, e-mail communications between Councilmembers relative to Council business should be avoided at all times.

- C. Communications with Persons Addressing the City Council: Members of the public may address the City Council during the Public Comment period and/or prior to the consideration of any agenda item. Persons shall address the City Council as a whole and shall not engage in a dialogue with individual Councilmembers, staff, or with other members of the audience. Any person wishing to speak, whether during the Public Comment period or on an agenda item, is requested to complete a "Request to Speak" form and submit the form to the City Clerk prior to the calling to order of the meeting or as soon thereafter as possible. Filling out a speaker slip is not required to participate. All those addressing the Council shall do so from the podium.

The City Council may not prohibit public criticism of the City in general, City staff, or members of the City Council, its policies, procedures, programs, or services of an agency or its acts or omissions. A speaker may not be stopped from speaking because either the Presiding Officer or Councilmembers disagree with the viewpoint being expressed.

1. Translation Services: The City strives to provide simultaneous Spanish interpreting services at all regular City Council meetings, through the use of headsets. An interpreter is also available to interpret for speakers who wish to address the Council.
2. Public Comment (Non-agenda): At all regular City Council meetings, speakers shall have the right to address the City Council on any matter within the elected body's jurisdiction, subject to a three (3) minute time limit or less, depending on the number of speakers. The Council may listen to the speaker's comments, but cannot discuss or take action on communications not on the agenda. Non-agenda Public Comment may be referred to the City Manager for administrative action or placement on a subsequent agenda, with a majority vote of the Council.
 - a. At each regular Council meeting, up to 30 minutes shall be reserved for Public Comment.
 - b. The City Clerk will review the speaker slips and inform the Presiding Officer of the number of slips. If the number of speakers, at three (3) minutes each, exceeds the 30-minute allotted time for Public Comment, the Presiding Officer may reduce the time allotted to each speaker, extend Public Comment time, or continue remaining speakers to the end of the meeting.
 - c. Donations of time from one speaker to another will not be permitted.

- d. The Presiding Officer shall have the authority to reduce equally each speaker's time to accommodate a larger number of speakers.
 - e. Speaker slips for Public Comment will be accepted by the City Clerk in the Council Chambers no earlier than 15 minutes before the meeting and up until the Public Comment portion of the agenda is finished.
 - f. In order to ensure that non-English speakers receive the same opportunity to directly address the City Council, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Council, unless simultaneous translation equipment is used to allow the Council to hear the translated public testimony simultaneously. (Government Code 54954.3)
 - g. Remarks shall be addressed to the City Council as a body.
 - h. If there is a group representing a common position, designation of a spokesperson is encouraged. The Presiding Officer may allot a mixed amount of time for presentations of this nature.
3. Public Comment (Agenda Items): Speakers shall have the right to address the City Council on items which appear on the agenda, subject to the 3-minute time limit.
- a. Donations of time from one speaker to another will not be permitted.
 - b. The Presiding Officer shall have the authority to reduce equally each speaker's time to accommodate a larger number of speakers, or to limit the total speakers' time on an agenda item.
 - c. Speaker slips for agenda items will be accepted by the City Clerk in the Council Chambers no earlier than 15 minutes before the meeting and up until the public testimony on the item is finished. Included on the speaker slip shall be the option for the individual to register support or opposition but do not wish to speak (individual must be present).
 - d. Remarks shall be addressed to the City Council as a body and not to any member of the City Council, staff or the public. No questions shall be asked of an individual member of the City Council, staff or the public. The Presiding Officer may limit interaction between Councilmembers and public speakers to questions of clarification.

- e. If there is a group representing a common position, designation of a spokesperson is encouraged. The Presiding Officer may allot a mixed amount of time for presentations of this nature.
 - f. In order to ensure that non-English speakers receive the same opportunity to directly address the City Council, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Council, unless simultaneous translation equipment is used to allow the Council to hear the translated public testimony simultaneously. (Government Code 54954.3)
4. **Presentations to City Council:** Any information presented to the City Council for its consideration in formats such as PowerPoint, Video VHS, or DVD must be submitted to the City Clerk's office no later than the Wednesday immediately prior to the Council meeting in order to have the presentation facilitated for Council viewing and broadcast. If presentations are submitted after that deadline, it will not be possible for them to be played or displayed during the meeting, although ten (10) hard copies may be submitted to the City Clerk for distribution to the Council. Documents and presentations displayed during the Council meeting shall become a public record and must be submitted to the City Clerk for retention.

VII. AGENDA SEQUENCE AND ORDER OF BUSINESS

Generally, the agenda sequence and order of business at regularly scheduled meetings of the City Council shall be as follows, unless otherwise reordered by the Presiding Officer with the consensus of the City Council.

- A. Call to Order: The Presiding Officer officially calls the meeting to order.
- B. Roll Call: Before the City Council shall proceed with the business of the Council, the City Clerk shall call the roll of the members and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes.
- C. Pledge of Allegiance: Each agenda of a regularly scheduled Council meeting shall provide an item for the recital of the "Pledge of Allegiance" to both the United States flag and the California flag.
- D. Public Comments: Speakers shall have the right to address the City Council on any matter within the elected body's jurisdiction, subject to a 3-minute time limit or less, depending on the number of speakers. The City Council may listen to the speaker's comments, but cannot discuss or take action on communications not on the agenda. Non-agenda public comment may be referred to the City Manager for administrative action or placement on a subsequent agenda.

- E. Proclamations and Certificates: The agenda shall provide a time when proclamations directing attention to a person, organization or event may be presented. Proclamations will be issued subject to Section XIV, E – Proclamations.
- F. Awards and Recognitions: The agenda shall provide a time when recognitions may be presented.
- G. Presentations: The Presentations section of the agenda is for the purpose of allowing a brief (5 to 10 minutes each) opportunity at the beginning of a Council meeting for Council to receive information from outside agencies or City staff. It is not meant for a topic that would require lengthy deliberation, debate, or action. Items may be placed on the Presentation section of the agenda at the request of the City Council or City staff with the City Manager's concurrence. Approval to place a presentation on the agenda that has been requested by a community member must be obtained through the City Manager's Office.
- H. Interviews and Appointments: The agenda shall provide a time for the City Council to interview and/or appoint members of the City Council or the public to City and/or external boards, commissions and committees.
- I. Consent Calendar: Items of a routine or generally uncontested nature may be approved by the Council in a single motion by adoption of the Consent Calendar. The approval of the Consent Calendar shall signify the approval of each matter or recommendation included therein. Upon request of any Councilmember, staff, or public made through the Presiding Officer, an item may be removed from the Consent Calendar for separate discussion and/or action. Each item proposed for consideration as part of the Consent Calendar shall be described on the agenda posted for the meeting.
- J. Public Hearings: Ordinances & Resolutions: This portion of the meeting allows for a noticed public session to receive original evidence or testimony on applications regulated by this title. Scheduled public hearings shall be commenced at 6:00 p.m. or as soon thereafter as possible. (Reference Section XI, Public Hearings)
- K. Non-Consent Resolutions: Items generally of a non-routine nature for City Council discussion and/or action.
- L. New Business: This portion of the meeting is devoted to discussion or consideration of items of business that have or have not previously been before the City Council.
- M. Staff Reports: This portion of the meeting provides the City Manager and staff the opportunity to give general comments, updates, and announcements.
- N. Mayor and City Council Reports: This portion of the meeting provides the City Council the opportunity to give general comments, announcements, or informational reports on

any item not on the agenda. These matters may not be discussed or deliberated. This is also the portion of the meeting for a Councilmember who is seeking to place an item on a future meeting agenda to make their request (Reference Section VIII-B, City Council Requests to Place Items on Future Agenda).

- O. Closed Session Report: At an Open Session following a Closed Session, the body must report on final action taken in Closed Session under specified circumstances.
- P. Adjournment: It is the policy of the City Council that that all evening meetings of the City Council, including special meetings and workshops, be adjourned no later than 10:00 p.m., which time is referred to as the normal time of adjournment.

VIII. AGENDA PROCESS

In order for both the City Council and City staff to be adequately prepared to discuss City business during Council meetings, items for discussion shall be placed on the agenda in accordance with established Council agenda deadlines and in compliance with the Brown Act. Generally, items not on the agenda cannot be discussed or considered during a Council meeting. This section of the policy discusses the limits upon non-agenda items and how to place those items onto the agenda, agenda setting, preparation and distribution, and the process by which Councilmembers request to place items on a future agenda.

A. Preparation, Distribution and Posting

1. **Agenda Items**: In conjunction with City staff, the City Manager shall have the primary responsibility for preparing the City Council agenda and placing matters on the agenda in accordance with identified City needs and scheduling.
 - a. In the event an item is brought to the attention of the City Manager that requires immediate City Council attention after the agenda setting meeting and before the agenda is distributed, the City Manager will determine the need for the item to be added to the agenda.
 - b. With regard to items directed by the City Council made during the regular City Council meeting, such items will be scheduled for the next Council meeting whenever possible. If an item requires additional staff work that cannot be completed in that time frame, the City Manager will advise the Council when staff anticipates the item will be scheduled for Council action.
2. **Agenda Review Meeting**: Prior to release and posting of a final City Council agenda, an agenda review meeting shall be held by the City Manager with the City Attorney and the Mayor, or another member of the City Council designated by the Mayor, to serve in his/her absence. The proposed agenda shall be reviewed at this meeting.

3. **Agenda Preparation:** Not later than the Thursday prior to the City Council meeting, the City Manager is responsible for preparing the agenda packet, which shall include the agenda plus all its corresponding duplicated agenda items. No item shall be considered if not included in the packet, except that a correction or supplement to an item already included in the packet may be considered in accordance with the Brown Act.
4. **Agenda Distribution and Posting:** Not later than the Thursday prior to the City Council meeting, the City Manager is responsible for distributing the agenda packet to each member of the City Council. Staff shall post each agenda at least 72-hours in advance of the meeting and shall post each agenda of a special meeting at least 24-hours in advance of the meeting on the official bulletin boards at City Hall, Police Department, Library and on the City's website.
5. **Non-Agenda Items Requiring Immediate Action:** Matters requiring City Council action must be placed onto a Council Agenda in a timely manner in order for Council to consider the matter. In accordance with the Brown Act, off-agenda items requiring Council approval will not be considered by the City Council except under the following two circumstances:
 - a. An emergency situation exists, as defined in the Government Code; or,
 - b. The City Council determines by a two-thirds (2/3's) vote, or by a unanimous vote if less than two-thirds of the Council is present, that:
 - There is a need for immediate action, and
 - The need to take action on the item arose after the posting of the agenda.

If the Council finds that the need to take action arose subsequent to the agenda posting, pursuant to the criteria above, it shall make those findings by separate motion, including the factual reasons supporting the findings. The findings shall be reflected in the Council minutes.
- B. **City Council Requests to Place Items on Future Agenda:** A Councilmember seeking to place an item on a future agenda shall make such request under the "Mayor and City Council Comment" portion of the agenda; such request requires a majority vote of the Council.

IX. VOTING

- A. **Obtaining the Floor:** Any Councilmember wishing to speak must first obtain the floor by being recognized by the Presiding Officer. The Presiding Officer must recognize any Councilmember who seeks the floor when appropriately entitled to do so.

- B. Voting Procedure: Any vote of the City Council, including a roll call vote, may be registered by the members by answering "Yes" for an affirmative vote, "Abstain" for an abstention, or "No" for a negative vote upon the member's name being called by the City Clerk; or an electronic vote may be registered by pressing the Councilmember button for an affirmative vote, an abstention, or a negative vote, upon a vote being called for by the Presiding Officer.

Following the vote, the City Clerk shall audibly announce the results of the vote by name indicating whether the question carried or was defeated. The same shall be recorded in the minutes as the vote. The Presiding Officer in his or her discretion may publicly explain the effect of a vote for the audience, or may direct a member of the staff to do so before proceeding to the next item of business.

- C. Disqualification for Conflict of Interest: Any Councilmember who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state, the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Councilmember affected, be decided by the other Councilmembers. A Councilmember who is disqualified by reason of a conflict of interest in any matter shall not remain in his or her seat during the debate and vote on such matter, but shall request and be given the permission by the Presiding Officer to step down from the Council dais. A Councilmember stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.
- D. Failure to Vote: Every Councilmember should vote unless disqualified by reason of a conflict. The vote of a Councilmember who abstains absent a disqualifying conflict of interest shall be counted with the majority vote of the quorum on the question voted upon.
- E. Tie Vote: Tie votes shall be lost motions and may be reconsidered.
- F. Changing Vote: A Councilmember may change his or her vote only if he or she makes a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up.
- G. Reconsideration: A motion to reconsider the vote on any action taken by the City Council at either this meeting or a previous meeting may be made only by one of the Councilmembers who voted with the prevailing side.
- H. Point of Order: An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration.

- I. Continuance of Discussion or Hearings: Any item being discussed or any public hearing at a City Council meeting may, by order, notice, or motion, be continued or tabled to any subsequent meeting.
- J. Rosenberg's Rules of Order: Rosenberg's Rules of Order have been adopted by the City Council and shall apply in all cases.
- K. Disclosure of Ex Parte Contacts: An "ex parte" contact or communication occurs when, prior to considering a matter on a public meeting agenda, a member or members of the City Council receives information, oral, written, or otherwise, pertaining to that matter outside the public meeting. (Reference City Council Policy No. 116 – Procedure for Disclosure of Ex Parte Contacts)

X. MOTIONS

Motions are the vehicles for decision making by a body. It is normally best to have a motion before the body prior to commencing discussion of an agenda item. There are three motions that are the most common and recur often at meetings:

- 1. The basic motion. The basic motion is the one that puts forward a decision for the body's consideration.
- 2. The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it.
- 3. The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion.

Motions may be made by any member of the Council including the Chair. Any member of the City Council may second a motion. (Reference *Rosenberg's Rules of Order* for a more detailed discussion on motions in general and sample motions)

- A. Procedure for Motions: The following is the general procedure for making motions:
 - 1. The item is presented by staff or others followed by questions and discussion by Councilmembers.
 - 2. A Councilmember who wishes to make a motion shall first obtain the floor.
 - 3. A Councilmember who wishes to second a motion shall do so through a request to the Chair.
 - 4. Before a motion can be discussed, it shall be seconded.

5. Once a motion has been properly made and seconded, the Chair shall open the matter for further discussion offering the first opportunity to the moving party and, thereafter, to any Councilmember properly recognized by the Presiding Officer.
 6. Once the matter has been fully debated and the Presiding Officer calls for a vote, no further debate will be allowed, provided however, any Councilmember may be allowed to explain his or her vote prior to the vote being cast.
- B. Amendments to Motions: As previously discussed, when a motion is on the floor and an amendment is offered, the amendment shall be acted upon prior to acting on the main motion. No motion of a subject other than the agenda item under consideration shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amended amendment prior to any other action to further amend the original motion.

XI. PUBLIC HEARINGS/ORDINANCES & RESOLUTIONS

- A. Except as provided otherwise by law, public hearings shall generally be conducted as follows:
1. Scheduled public hearings shall commence at 6:00 p.m. or as soon thereafter as possible.
 2. Speakers are encouraged to complete a speaker request slip; however a speaker slip is not required in order to speak.
 3. At the beginning of each public hearing item, the Presiding Officer shall announce the item for the public hearing, request that staff present the staff report and any other relevant evidence, and open the public hearing. The presentation of the staff report prior to the formal opening of the public hearing shall not prevent its consideration as evidence. Any such evidence shall be made a part of the record of the public hearing.
 4. Following the staff report and opening of the public hearing, the Presiding Officer shall thereupon call upon the proponent (if other than staff) to present his or her presentation. Thereafter, the Presiding Officer shall inquire as to whether there are any persons present who desire to address the City Council on the matter. Any person desiring to speak or present evidence shall then make their presence known to the Presiding Officer and, upon being recognized by the Presiding Officer, may speak or present evidence relevant to the subject matter being heard.
 5. The applicant/appellant, and/or their representative shall speak first and shall have a sufficient amount of time to do so, any portion of which may be reserved and used

for rebuttal.

6. Each member of the public wishing to address the Council, other than the applicant/appellant, shall then be allowed to address the Council and shall have three (3) minutes to speak. Prior to declaring the public hearing open, however, when necessary because of the number of possible speakers, the Presiding Officer may establish a time limit for the entire public hearing, or establish time limits for the presentation of each individual speaker. All persons interested in the matter being heard by the Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained by the City Clerk as part of the record.
7. Councilmembers who wish to ask questions of the speakers, staff or each other, during the public hearing portion, may do so only after being recognized by the Presiding Officer in the manner set out in this policy.
8. Councilmembers should be mindful that the purpose of the public hearing is to obtain testimony, and not to debate the merits of the item under consideration. Councilmembers should avoid debate and expressions of personal opinion until after the close of the public hearing.
9. Following the conclusion of such questions, the Presiding Officer shall allow the applicant/appellant the opportunity for rebuttal.
10. Following the rebuttal, the Presiding Officer shall close the public hearing and then allow each Councilmember to state his or her opinion on the item before asking for a motion to decide the matter.
11. Upon closing the public hearing by the Presiding Officer, no additional public testimony shall be solicited or received by the Council without reopening the public hearing through the Presiding Officer with consensus of the Council.
12. The Presiding Officer at all times shall conduct the public hearing in such a manner as to afford due process to all affected persons.

XII. MEETING DECORUM & CONDUCT

Meetings of the City Council shall be conducted in an open and orderly manner and in an environment safe for all persons in attendance to ensure that the public has a full opportunity to be heard and that the deliberative process of the Council is retained at all times. The Presiding Officer shall be responsible for maintaining the order and decorum of meetings. This policy is not intended to deprive any person of his or her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe and conducive place to conduct public business.

A. Conduct:

1. Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of obscene, lewd, loud, threatening, repeatedly irrelevant or repetitious, or abusive language; including clapping, whistling, yelling, stamping of the feet, or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City Council meeting infeasible. A member of the audience engaging in any such conduct may, after warning by the Presiding Officer, at the discretion of the Presiding Officer or a majority of the City Council, be subject to removal from the meeting.
2. Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
3. Noise emanating from the lobby outside the Council Chambers which is audible within the Chambers shall not be permitted. The Sergeant-at-Arms is authorized to enforce this rule by requesting those in the lobby to remain silent or to leave the area.

B. Authorized & Designated Areas:

1. No person shall stand or sit in the aisles. No person shall block any doorways or exits.
2. No person except City officials shall be permitted within the platform area in front of the Council dais without the prior consent of the Presiding Officer or City Manager.

C. Signs, Objects or Symbolic Material:

1. Placards, signs, and posters may be brought into the Council Chambers unless such objects disturb, disrupt, impede or otherwise render the orderly conduct of the Council meeting infeasible, or block the view of any other person in attendance, in which case such placard, sign, or poster shall, at the discretion of the Presiding Officer or a majority of the Council, be moved to a different location or removed from the Chambers.
2. Packages, bundles, suitcases or other large or potentially dangerous objects shall not, without the prior authorization of the Presiding Officer or City Manager, be brought into the City Council Chambers and are subject to search to determine that they do not pose a threat or as otherwise requested by the Sergeant-at-Arms.

- D. Service Animals: Except as otherwise allowed by the City Council, no animals except for service animals shall be brought into the Council Chambers.
- E. Photography/Videography: Photographs, audiotapes and videotapes may be taken from the rear of the Council Chambers or from any seat within the Chambers, as long as such activity does not disrupt or disturb the audience, public speakers, Councilmembers or others on the dais, and interfere with the orderly conduct of the meeting. When a filming area has been designated by the Fire Marshal or Sergeant-at-Arms, filming shall occur in that area only. The Fire Marshal or Sergeant-at-Arms may designate an area for credentialed media only.
- F. Cellular & Electronic Devices: Persons in the audience will refrain from using cellular phones and/or pagers while the City Council meeting is in session.

XIII. ENFORCEMENT

- A. Sergeant-at-Arms: The Chief of Police or his or her designee shall be the ex-officio Sergeant-at-Arms of the City Council. The Sergeant-at-Arms shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum in the Council Chambers. Any Councilmember may move to require the Presiding Officer to enforce the rules upon affirmative vote of a majority of the Council.
- B. Violations: Upon a violation of the Rules of Procedure and Order established herein, the procedure to enforce the rules are as follows:
 - 1. **Warning**: The Presiding Officer shall first request that a person who is violating the rules cease such conduct. If, after receiving a request from the Presiding Officer, the person persists in violating the rules, the Presiding Officer shall order a recess. The Sergeant-at-Arms is authorized to warn the person that their conduct is violating the rules and that they are requested to cease such conduct. If upon resumption of the meeting the violation persists, the Presiding Officer may order another recess whereupon the Sergeant-at-Arms shall have the authority to order the person removed from the meeting and/or cited in violation of Penal Code Section 403.
 - 2. **Motion to Enforce**: Any Councilmember may call a Point of Order should the City Council fail to abide by the provisions of this policy, whereupon the Council shall immediately act upon the Point of Order by roll call vote. If the Presiding Officer fails to enforce the Rules of Procedure and Order set forth herein, any member of the Council may move to require the Presiding Officer to do so, and an affirmative vote of a majority of the Council shall require the Presiding Officer to do so. If the Presiding Officer fails to carry out the will of the majority of the Council, the majority may designate another member of the Council to act as Presiding Officer for the

remainder of the meeting, for the limited purpose of enforcing the rules established herein.

3. **Clearing the Room:** Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, the Presiding Officer may order the room cleared and the meeting shall continue in session. Only matters appearing on the agenda may be considered in such a session. Credentialed representatives of the press or other credentialed news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to Section 54957.9.
4. **Violation of California State Law:** A person or persons who willfully and intentionally impair or impede the conduct of a Council meeting by violating these Rules of Procedure and Order may be prosecuted under California Penal Code §403, California Elections Code Section 18340, or any other applicable State law for disturbing a public meeting.

XIV. PROCEDURAL MATTERS

- A. **City Council Seating Arrangement:** The seating arrangement of Councilmembers on the dais is at the prerogative of the Mayor.
- B. **Signing of Meeting Documents:** The Presiding Officer shall sign all ordinances, resolutions, contracts and other documents necessitating his or her signature which were adopted in his or her presence, unless he or she is unavailable, in which case the signature of the Vice Mayor may be used.
- C. **Copy of Recordings:** The public may obtain from the City Clerk a copy, at cost, of an existing recording made by the legislative body of its public sessions.
- D. **Ceremonial Matters:** There are several different types of action the City Council may take to provide recognition or express appreciation:
 1. **Certifications of Appreciation or Recognition:** Commendations are typically issued to acknowledge the activities of a person or organization.
 2. **Proclamations:** Public announcements directing attention to a person, organization, event or cause. Proclamations will be issued subject to the policy described below.

- E. **Proclamations:** It is the policy of the City Council to issue proclamations for certain individuals, organizations, events or causes, when such a proclamation positively impacts the community and conveys an affirmative message to residents.
1. Discretion should be used in determining whether or not to issue a proclamation. Proclamations that are political in nature, are controversial, or that likely would not enjoy a high level of community interest and support, are discouraged.
 2. It is the policy of the City Council to process requests for proclamations in the following manner:
 - a. Requests for proclamations will be made through the Mayor's Office;
 - b. If the Mayor determines that the proclamation request is consistent with the policy stated above, the Mayor will direct his or her staff member to prepare the proclamation and the proclamation will be issued.
 - c. Upon receipt of the draft proclamation language, the Mayor will direct the City Manager to place the item on a meeting agenda depending on the nature and time-sensitivity of the request.

XV. SOCIAL MEDIA

With the ever-growing use of social media, the Council and City staff should be aware that comments, statements, opinions, etc. are still subject to the same restrictions identified in the California Government Code (commonly referred to as the Brown Act and the Public Records Act). While the City of National City strives to maintain community involvement and transparency in its government functions, certain State and local laws must be considered and kept in mind while using social media mediums. Social mediums such as Facebook, Twitter, and others can be viewed by other people including other Councilmembers. Councilmembers are encouraged to check the information they provide for accuracy.

Multiple Councilmembers cannot comment on the same conversation, as that can create a "serial meeting" of the Council and is a direct violation of the Brown Act. If Councilmembers communicate on social media about "city business", as defined in City Administrative Policy No. 02.06, any such communication may be released to the public upon request.

Councilmembers should refrain from stating personal opinions on matters being brought before the Council including, but not limited to: personal opinions on topics, declarations on how an official intends to vote for an item, debating with citizens on items, or presentation of the Councilmember's argument before or against an item, as those could be considered violations of the Brown Act, which can result in criminal and civil liabilities for the official.

Councilmembers should always maintain professionalism and common courtesy in posts and comments when commenting in their official capacity and should remain neutral in postings to prevent the interpretation that a decision has already been made outside of an open meeting, in violation of the Brown Act. Councilmembers should also be aware that there is inherent personal civil liability risk on all comments they make outside of official meetings. For example, if a Councilmember “blocks” a social media user, or deletes a comment from a social media user, the Councilmember risks violating the social media user’s First Amendment rights.

Councilmembers should not use their official positions to make negative posts, voice personal opinions, etc. against any individual, business, entity, etc. as that could create negative feedback for the official and City and could potentially subject the official to personal civil liability for slander, defamation of character, or other civil remedies that could be determined by a court.

City Councilmembers and staff shall not use any official City media site, including but not limited to the City’s Facebook page, the City’s Twitter accounts, or to any other City media outlet for personal reasons or personal gain.

XVI. POLICY INTERPRETATION & APPLICABILITY

The Policy and Rules of Procedure and Order set forth herein shall be liberally construed to effectuate their purpose and no ordinance, resolution, proceeding or other action of the City Council shall be invalidated, nor the legality thereof otherwise affected, by the failure or omission of the Council to technically comply with, observe, or otherwise follow such rules. Any provision of these rules not already governed by City ordinance or State law may be suspended by a majority vote of the Council.

The rules set forth herein shall apply to all meetings of the City Council subject to the Brown Act and shall apply to the Council Chambers or any other location where a meeting subject to these rules takes place. In the event of any inconsistency between these rules and State law or regulation, State law or regulation shall apply.

XVII. DEFINITIONS

Abstain	To publicly refrain from voting usually because of a conflict of Interest.
Adjourn	A privileged motion to officially close a meeting. A second is required and a majority vote is required to adopt it.
Call to Order	An announcement by the Presiding Officer to convene a meeting.

Consent Calendar	The routine parts of the agenda which are approved without discussion or dissent.
Decorum	To conduct oneself in a proper manner.
Dire Emergency	When a majority of the legislative body determines that a dire emergency exists, it may call an emergency meeting (§ 54956.5). A dire emergency is defined as a crippling disaster, mass distribution, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting may endanger the public health, safety, or both.
Emergency Meeting	When a majority of the legislative body determines that an emergency situation exists, it may call an emergency meeting (§ 54956.5). An emergency is defined as a crippling activity, work stoppage or other activity which severely impairs public health, safety or both.
Legislative Body	City Councilmembers are legislators. Together they constitute a legislative body that is given authority by the State constitution and State law to make local law.
Meeting	Includes any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate upon any matter which is under the subject matter jurisdiction of the agency. (Government Code § 54952.2(a))
Minutes	The official record of what is done at a meeting.
Motion	The vehicles for decision making by a body used with a vote to indicate approval or denial, adoption or direction.
Ordinance	A city law that generally requires two separate meetings and typically becomes effective thirty days after adoption.
Parliamentarian	One who advises the officers, committees, and members on matters regarding parliamentary procedure.
Policy	The opinions, philosophy, or practices that are adopted by an organization.

Public Hearing	Items that are publicly noticed for a specific Council meeting date, as generally required by law, and are designed to receive separate public input on a specific matter.
Point of Order	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration.
Presiding Officer	The officer conducting the meeting; Chair or Chairman
Public Hearing	A noticed public session to receive original evidence or testimony on applications regulated by this title. Scheduled public hearings shall be commenced at 6:00 p.m. or as soon thereafter as possible.
Quorum	The minimum number of members who must be present at a meeting to transact business legally.
Ralph M. Brown Act	The Ralph M. Brown Act, commonly known as the "Brown Act", governs meetings conducted by local legislative bodies, such as boards of supervisors, city councils and school boards. The Act represents the Legislature's determination of how the balance should be struck between public access to meetings of multi-member public bodies on the one hand and the need for confidential candor, debate, and information gathering on the other. The purpose of the Brown Act is to facilitate public participation in local government decisions and to curb misuse of the democratic process by secret legislation by public bodies.
Recess	A period of time longer than thirteen (13) days without a regular or special meeting of the Council.
Resolution	Represents a legislative or other type of action providing for the disposition of a particular item of business. Resolutions take effect upon passage by a majority vote of the Council unless other law imposes a later effective date.
Rosenberg's Rules of Order	Written rules of parliamentary procedure which govern a meeting.
Sergeant-at-Arms	The Chief of Police or his or her designee shall be the ex-officio Sergeant-at-Arms of the City Council.

Special Meeting

In contrast with a regular meeting, a meeting called for a particular purpose that is stated when the meeting is called.

SECTION XVIII. RELATED POLICY REFERENCES

- National City Municipal Code, Chapter 2.04
- National City Municipal Code, Title 16
- Ralph M. Brown Act
- Rosenberg's Rules of Order
- City Council Policy No. 102 – City Council Meeting Times
- City Council Policy No. 103 – Special Council Meetings
- City Council Policy No. 105 – Off Agenda Items and Placing Non-Agenda Items on the Agenda
- City Council Policy No. 106 – Preparation of City Council Meeting Minutes
- City Council Policy No. 113 – Unauthorized Disclosure of Information Revealed in Closed Sessions
- City Council Policy No. 116 – Procedure for Disclosure of Ex Parte Contacts
- Administrative Policy No. 02.06 – Public Records Act Affecting Personal Electronic Devices & Accounts of City Users

I. PURPOSE

The purpose of this Policy is to establish Rules of Procedure and Order for City officials, staff and members of the public at all meetings of the City Council to ensure that the business of the City is attended to in an open and orderly manner and in an environment safe for all persons in attendance. The policy establishes and delineates general meeting rules, roles and responsibilities, to allow for an orderly meeting where all individuals can exercise their Constitutional rights.

All meetings of the City Council will be conducted under Rosenberg's Rules of Order. In addition, such meetings will be governed in accordance with the Ralph M. Brown Act (Gov. Code § 54950, hereinafter "the Brown Act") and other applicable State laws. Any question about proper procedure will be immediately referred to the City Clerk as parliamentarian.

This policy applies to all persons attending public meetings in the City Council Chambers or any other location where a meeting subject to this policy takes place. In the event of any inconsistency between this policy and State law or regulation, State law or regulation shall apply.

II. RESPONSIBILITIES

It is important to recognize that the City Council acts as a legislative body. No member has extraordinary powers beyond those of other members. While the Mayor and Vice Mayor may have additional ceremonial and administrative responsibilities, in the establishment of policies, voting and in other significant areas, all members are equal. Policy is established and direction is given to City staff by a majority vote of the Council.

While individual Councilmembers may disagree with decisions of the majority, a decision of the majority binds the Council to a course of action and provides staff with direction to follow. In turn, it is staff's responsibility to ensure the policy of the Council is implemented and upheld consistent with the wishes of the majority. Implementation of Council policy by staff does not reflect a bias against Councilmembers who held a minority opinion on an issue.

- A. Responsibilities of Presiding Officer/Mayor: The Presiding Officer of the City Council, shall be the Mayor, or in the Mayor's absence the Vice Mayor, or in both of their absence any other member designated by the City Council. It shall be the duty of the Presiding Officer to ensure that the Rules of Procedure and Order contained herein are observed. The Presiding Officer shall maintain control of communication between Councilmembers and between the Council, staff, and members of the public. The Presiding Officer may make and second motions.

B. Responsibilities of Vice Mayor: In the absence of the Mayor from the City or a Council meeting, the Vice Mayor shall possess all the powers of the office of the Mayor, and be subject to all prescribed duties for that office.

C. Responsibilities of City Council:

1. Members of the City Council shall review all meeting materials in preparation for Council meetings and be prepared to discuss the agenda.
2. Members of the City Council shall arrive on time for all Council meetings.
3. Members of the City Council shall conduct themselves in an orderly, professional and businesslike manner to ensure that the business of the City shall be attended to efficiently and thoroughly and to ensure that the integrity of the deliberative process of the City Council is maintained at all times.
4. Members of the City Council shall maintain a polite, respectful and courteous manner when addressing one another, City staff, and members of the public during City Council meetings.
5. As a courtesy, members of the City Council shall report upcoming absences or out of town trips to the City Manager as soon as possible to ensure that any necessary adjustments to the agenda may be made, and to ensure a quorum.

~~D.A. Responsibilities of City Manager:~~

- ~~1. The City Manager's duties during City Council meetings include keeping a record of concerns raised by the City Council regarding direction for future staff action and facilitating the orderly presentation of staff reports.~~

E.D. Responsibilities of City Clerk:

1. The City Clerk shall serve as the Parliamentarian for the City Council meetings to advise the Presiding Officer. Within the limitations imposed by Rosenberg's Rules of Order, the Presiding Officer has the authority to determine proper parliamentary procedure.
2. The City Clerk shall call and record roll call votes; and shall read ordinance titles and agenda items as requested by the Presiding Officer.
3. The City Clerk shall keep minutes of the open meeting in accordance with City Council Policy No. 106, and disposition of video recordings of those proceedings.

E. Responsibilities of City Manager:

1. The City Manager's duties during City Council meetings include keeping a record of concerns raised by the City Council regarding direction for future staff action and facilitating the orderly presentation of staff reports.
-

F. Responsibilities of City Attorney:

1. The City Attorney's duties during City Council meetings is to consult with Council on items of concern on the agenda and to pro-actively inform and protect Councilmembers from potential violations and conflicts of law.

III. MEETINGS

- A. Regular Meeting: The City Council shall hold regular meetings on the first and third Tuesday of each month. The meetings shall be held in the Council Chambers of City Hall, 1243 National City Boulevard in the City of National City. The regular meeting shall begin at 6:00 p.m., or as otherwise scheduled due to the demand of business or for closed session.
- B. Adjourned Meeting: The City Council may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. If a quorum is not present, less than a quorum may so adjourn.
- C. Special Meeting: A special meeting may be called at any time by the Mayor whenever the public business may require it or upon direction by a majority of the City Council. The call and notice shall be posted at least twenty-four (24) hours prior to the special meeting in a location that is accessible to members of the public.
- D. Emergency Meeting: Pursuant to the Government Code, the twenty-four (24) hour notice and posting requirements for a special meeting may be dispensed with under the following emergency conditions: work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the members of the legislative body, except in the case of a dire emergency.
- E. Recessed Meeting: Pursuant to the Government Code, a meeting of the City Council may recess to the following regular business day if the action is taken in good faith and not to circumvent the requirements of the Brown Act. The meeting may not be recessed to another day after that unless it is posted in accordance with the Brown Act.
- F. Closed Session Meeting: The City Council may hold closed sessions during a regular or special meeting, or at any time otherwise authorized by law, to consider or hear any matter which is authorized to be heard or considered in closed session in accordance

with State law. If a closed session is included on the agenda, the description of the item need only identify the statutory basis for the closed session, and need not include the specific topic which is the subject of the closed session, unless otherwise required by law. For each closed session, the body must orally announce the subject matter of the closed session. If final action is taken in closed session, the body generally must report the action at the conclusion of the closed session.

No minutes of the proceedings of the City Council during closed session are required. There shall be no closed session during any special emergency meeting. No person present in a closed session shall disclose, outside of the closed session, any information revealed in such closed session, without the prior authorization of a majority of the City Council. Any violation of this policy may be enforced by one or more of the actions delineated in City Council Policy No. 113.

- G. Quorum: A quorum at any meeting of the City Council will be established by the presence of three (3) members of the City Council. The Mayor shall count as a Councilmember for the establishment of a quorum.
- H. City Council Recess Periods: The City Council has traditionally observed a recess period during the summer to provide elected officials and staff an opportunity to catch up on work, reenergize after a lengthy budget and strategic planning process, and prepare for the start of a new fiscal year. For purposes of this policy, a recess period is defined as a period of time longer than thirteen (13) days without a regular or special meeting of the Council.

During any recess period, the City Manager is authorized to take such ministerial actions on matters of operational urgency as would normally be taken by the Council during the recess except for those duties specifically reserved to the Council by Government Code, and including such emergency actions as are necessary for the immediate preservation of the public peace, health or safety. The City Manager shall make a full and complete report to the Council at its first regularly scheduled meeting following the recess of actions taken by the City Manager pursuant to this section, at which time the City Council may make such findings as may be required and confirm said actions of the City Manager.

- I. Cancellation of Meetings: Any meeting of the City Council may be cancelled in advance by a majority vote of the Council. In the event that the Mayor and/or Vice Mayor are unable to cancel a meeting, in the case of an emergency the City Manager is authorized to cancel such meeting.
- J. Location of Meetings: Regular meetings of the City Council shall be held in the Council Chambers unless appropriate notice is given pursuant to and the location of the meeting is in accordance with the Brown Act. The City Council may hold a ~~regular meeting,~~

special meeting, ~~or adjourned regular or special meeting~~ at another location within the City, or locations outside the jurisdiction of the City, provided appropriate notice is given pursuant to and the location of the meeting is in accordance ~~consistent~~ with the Brown Act.

- K. Holidays or Elections: In the event that the regular meeting of the City Council falls on a legal holiday, or an election day on which a National City candidate or National City measure appears on the ballot, no meeting will be held on such day. Any regular meeting may be dispensed with by a majority vote of the City Council.

- L. Adjournment: It is the policy of the City Council that that all evening meetings of the City Council, including special meetings and workshops, be adjourned no later than 10:30 p.m., which time is referred to as the normal time of adjournment. The meeting shall be extended no more than once and subsequently may be adjourned to a later date. No new item of business shall be taken up by the Council after the normal time unless the Council has determined by a super-majority vote to set aside this policy. In the event the entire agenda cannot be completed by the normal time of adjournment, the Council may take up and act upon the more pressing agenda items. All agenda items not considered at the meeting shall be on the agenda of the next regular, special, or adjourned regular meeting unless the Council directs otherwise.

~~No new item of business shall be taken up by the Council after the normal time unless the Council has determined by a super-majority vote to set aside this policy. In the event the entire agenda cannot be completed by the normal time of adjournment, the Council may take up and act upon the more pressing agenda items.~~

~~All agenda items not considered at the meeting shall be on the agenda of the next regular, special, or adjourned regular meeting unless the Council directs otherwise.~~

- M. Taping or Broadcasting: Meetings may be broadcast, audio-recorded, video-recorded or "live" streamed so long as the activity does not constitute a disruption of the proceeding.
- N. Teleconferencing: Teleconferencing shall be allowed as per Government Code. Teleconference meetings may be held under carefully defined conditions. The meeting notice must specifically identify all teleconference locations, and each such location must be fully accessible to members of the public.
- O. Agenda Exception: Special procedures permit a body to proceed without an agenda in the case of emergency circumstances, or where a need for immediate action came to the attention of the body after posting of the agenda. (Reference Section VIII, A.5 – Non-Agenda Items Requiring Immediate Action)
- P. Comfort Breaks: It is the policy of the City Council that the Presiding Officer will call comfort breaks of 5-10 minutes when a meeting is expected to last more than two

hours. While it is not possible to predict the duration of a meeting, scheduled breaks allow participants to not miss any part of the meeting and help stay alert and maintain a high level of concentration and participation.

- Q. Use of Personal Electronic Devices: The use of personal electronic devices on the dais shall be limited to official agenda-related tasks and emergency notifications. If, in the opinion of the Presiding Officer, a Councilmember's use of an electronic device is disruptive to Council deliberations or disrespectful to the public, the Presiding Officer may request that the Councilmember cease his or her use of such device.
- R. Translation Services: Simultaneous Spanish interpreting services are provided at City Council meetings, through the use of headsets. An interpreter is also available to interpret for speakers who wish to address the Council.
- ~~S.~~ Compliance with Brown Act: All regular, special and adjourned meetings of the City Council shall be called, noticed and conducted in compliance with the Brown Act.

IV. REMOTE ACCESS TO MEETINGS

- A. Internet Broadcast: "Live" streaming video of City Council meetings is available at www.nationalcityca.gov. Archived meetings are also available online.
- B. E-Notification: Individuals may sign up via the City's website to receive email notifications of published City Council and board and commission meeting agendas, City news, special events and more.

V. PUBLIC ASSISTANCE & ACCOMMODATIONS

Upon request, the City Council agenda and backup materials will be made available in alternative formats. Any person who requires a disability-related modification or accommodation, including auxiliary aids or services, to participate in the public meeting, may request a modification, accommodation, aid, or service by contacting the City Clerk's Office either in person or by telephone no later than 10:00 a.m. on the day preceding the scheduled meeting.

VI. PUBLIC MEETING COMMUNICATIONS

- A. Communications between City Councilmembers:
 - 1. Councilmembers wishing to speak should request the floor by being recognized by the Presiding Officer before speaking. The Presiding Officer must recognize any Councilmember who seeks the floor when appropriately entitled to address the City

Council.

2. No Councilmember shall speak again until all Councilmembers have had the opportunity to speak.
 3. Councilmembers shall remember that the purpose of the Council meeting is to conduct the business of the City. Councilmembers shall avoid repetition and shall limit their comments to the subject matter at hand. Councilmembers shall endeavor to express their views without engaging in unnecessarily lengthy debates.
 4. When one Councilmember is speaking, other Councilmembers shall not interrupt, disrupt or disturb the speaker. During questions and deliberations, the Presiding Officer may vary the speaking sequence of Councilmembers from item to item.
- B. Email Communications between City Councilmembers: Because email communications can ultimately lead to the exchange of information intended to, or which may, create collective concurrence among a quorum of Councilmembers, e-mail communications between Councilmembers relative to Council business should be avoided at all times.
- C. Communications with Persons Addressing the City Council: Members of the public may address the City Council during the Public Comment period and/or prior to the consideration of any agenda item. Persons shall address the City Council as a whole and shall not engage in a dialogue with individual Councilmembers, staff, or with other members of the audience. Any person wishing to speak, whether during the Public Comment period or on an agenda item, is requested to complete a "Request to Speak Speaker Request" Form and submit the form to the City Clerk prior to the calling to order of the meeting or as soon thereafter as possible. Filling out a speaker slip is not required to participate. All those addressing the Council shall do so from the podium.

The City Council may not prohibit public criticism of the City in general, City staff, or members of the City Council, its policies, procedures, programs, or services of an agency or its acts or omissions. A speaker may not be stopped from speaking because either the Presiding Officer or Councilmembers disagree with the viewpoint being expressed.

1. Translation Services: The City strives to provide simultaneous Spanish interpreting services at all regular City Council meetings, through the use of headsets. An interpreter is also available to interpret for speakers who wish to address the Council.
2. Public Comment (Non-agenda): At all regular City Council meetings, speakers shall have the right to address the City Council on any matter within the elected body's

jurisdiction, subject to a three (3) minute time limit or less, depending on the number of speakers. The Council may listen to the speaker's comments, but cannot discuss or take action on communications not on the agenda. Non-agenda Public Comment may be referred to the City Manager for administrative action or placement on a subsequent agenda, with a majority vote of the Council.

- a. At each regular Council meeting, up to 30 minutes shall be reserved for Public Comment.
 - b. The City Clerk will review the speaker slips and inform the Presiding Officer of the number of slips. If the number of speakers, at three (3) minutes each, exceeds the 30-minute allotted time for Public Comment, the Presiding Officer may reduce the time allotted to each speaker, extend Public Comment time, or continue remaining speakers to the end of the meeting.
 - c. Donations of time from one speaker to another will not be permitted.
 - d. The Presiding Officer shall have the authority to reduce equally each speaker's time to accommodate a larger number of speakers.
 - e. Speaker slips for Public Comment will be accepted by the City Clerk in the Council Chambers no earlier than 15 minutes before the meeting and up until the Public Comment portion of the agenda is finished.
 - f. In order to ensure that non-English speakers receive the same opportunity to directly address the City Council, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Council, unless simultaneous translation equipment is used to allow the Council to hear the translated public testimony simultaneously. (Government Code 54954.3)
 - g. Remarks shall be addressed to the City Council as a body.
 - h. If there is a group representing a common position, designation of a spokesperson is encouraged. The Presiding Officer may allot a mixed amount of time for presentations of this nature.
3. Public Comment (Agenda Items): Speakers shall have the right to address the City Council on items which appear on the agenda, subject to the 3-minute time limit.

- a. Donations of time from one speaker to another will not be permitted.
 - b. The Presiding Officer shall have the authority to reduce equally each speaker's time to accommodate a larger number of speakers, or to limit the total speakers' time on an agenda item.
 - c. Speaker slips for agenda items will be accepted by the City Clerk in the Council Chambers no earlier than 15 minutes before the meeting and up until the public testimony on the item is finished. Included on the speaker slip shall be the option for the individual to register support or opposition but do not wish to speak (individual must be present).
 - d. Remarks shall be addressed to the City Council as a body and not to any member of the City Council, staff or the public. No questions shall be asked of an individual member of the City Council, staff or the public. The Presiding Officer may limit interaction between Councilmembers and public speakers to questions of clarification.
 - e. If there is a group representing a common position, designation of a spokesperson is encouraged. The Presiding Officer may allot a mixed amount of time for presentations of this nature.
 - f. In order to ensure that non-English speakers receive the same opportunity to directly address the City Council, any member of the public who utilizes a translator shall be provided at least twice the allotted time to address the Council, unless simultaneous translation equipment is used to allow the Council to hear the translated public testimony simultaneously. (Government Code 54954.3)
4. Presentations to City Council: Any information presented to the City Council for its consideration in formats such as PowerPoint, Video VHS, or DVD must be submitted to the City Clerk's office no later than the Wednesday immediately prior to the Council meeting in order to have the presentation facilitated for Council viewing and broadcast. If presentations are submitted after that deadline, it will not be possible for them to be played or displayed during the meeting, although ten (10) hard copies may be submitted to the City Clerk for distribution to the Council. Documents and presentations displayed during the Council meeting shall become a public record and must be submitted to the City Clerk for retention.

VII. AGENDA SEQUENCE AND ORDER OF BUSINESS

Generally, the agenda sequence and order of business at regularly scheduled meetings of the City Council shall be as follows, unless otherwise reordered by the Presiding Officer with the consensus of the City Council.

- A. Call to Order: The Presiding Officer officially calls the meeting to order.
- B. Roll Call: Before the City Council shall proceed with the business of the Council, the City Clerk shall call the roll of the members and the names of those present shall be entered in the minutes. The later arrival of any absentee shall also be entered in the minutes.
- C. Pledge of Allegiance: Each agenda of a regularly scheduled Council meeting shall provide an item for the recital of the "Pledge of Allegiance" to both the United States flag and the California flag.
- D. Public Comments: Speakers shall have the right to address the City Council on any matter within the elected body's jurisdiction, subject to a 3-minute time limit or less, depending on the number of speakers. The City Council may listen to the speaker's comments, but cannot discuss or take action on communications not on the agenda. Non-agenda public comment may be referred to the City Manager for administrative action or placement on a subsequent agenda.
- ~~C.~~
- ~~D.E.~~ Proclamations and Certificates: The agenda shall provide a time when proclamations directing attention to a person, organization or event may be presented. Proclamations will be issued subject to Section XIV, E – Proclamations.
- F. Awards and Recognitions & Presentations: The agenda shall provide a time when recognitions ~~and presentations~~ may be presented.
- G. Presentations: The Presentations section of the agenda is for the purpose of allowing a brief (5 to 10 minutes each) opportunity at the beginning of a Council meeting for Council to receive information from outside agencies or City staff. It is not meant for a topic that would require lengthy deliberation, debate, or action. Items may be placed on the Presentation section of the agenda at the request of the City Council or City staff with the City Manager's concurrence. Approval to place a presentation on the agenda that has been requested by a community member must be obtained through the City Manager's Office.
- ~~E.H.~~ Interviews and Appointments: The agenda shall provide a time for the City Council to interview and/or appoint members of the City Council or the public to City and/or external boards, commissions and committees.

~~F.A. Public Comments: Speakers shall have the right to address the City Council on any matter within the elected body's jurisdiction, subject to a 3-minute time limit. The City Council may listen to the speaker's comments, but cannot discuss or take action on communications not on the agenda. Non-agenda public comment may be referred to the City Manager for administrative action or placement on a subsequent agenda.~~

G.I. Consent Calendar: Items of a routine or generally uncontested nature may be approved by the Council in a single motion by adoption of the Consent Calendar. The approval of the Consent Calendar shall signify the approval of each matter or recommendation included therein. Upon request of any Councilmember, staff, or public made through the Presiding Officer, an item may be removed from the Consent Calendar for separate discussion and/or action. Each item proposed for consideration as part of the Consent Calendar shall be described on the agenda posted for the meeting.

H.J. Public Hearings: Ordinances & Resolutions: This portion of the meeting allows for a noticed public session to receive original evidence or testimony on applications regulated by this title. Scheduled public hearings shall be commenced at 6:00 p.m. or as soon thereafter as possible. (Reference Section XI, Public Hearings)

I.K. Non-Consent Resolutions: Items generally of a non-routine nature for City Council discussion and/or action.

J.L. New Business: This portion of the meeting is devoted to discussion or consideration of items of business that have or have not previously been before the City Council.

K.M. Staff Reports: This portion of the meeting provides the City Manager and staff the opportunity to give general comments, updates, and announcements.

L.N. Mayor and City Council Reports: This portion of the meeting provides the City Council the opportunity to give general comments, announcements, or informational reports on any item not on the agenda. These matters may not be discussed or deliberated. This is also the portion of the meeting for a Councilmember who is seeking to place an item on a future meeting agenda to make their request (Reference Section VIII-B, City Council Requests to Place Items on Future Agenda).

M.O. Closed Session Report: At an Open Session following a Closed Session, the body must report on final action taken in Closed Session under specified circumstances.

N. Adjournment: It is the policy of the City Council that that all evening meetings of the City Council, including special meetings and workshops, be adjourned no later than 10:00 p.m., which time is referred to as the normal time of adjournment.

VIII. AGENDA PROCESS

In order for both the City Council and City staff to be adequately prepared to discuss City business during Council meetings, items for discussion shall be placed on the agenda in accordance with established Council agenda deadlines and in compliance with the Brown Act. Generally, items not on the agenda cannot be discussed or considered during a Council meeting. This section of the policy discusses the limits upon non-agenda items and how to place those items onto the agenda, agenda setting, preparation and distribution, and the process by which Councilmembers request to place items on a future agenda.

A. Preparation, Distribution and Posting

1. Agenda Items: In conjunction with City staff, the City Manager shall have the primary responsibility for preparing the City Council agenda and placing matters on the agenda in accordance with identified City needs and scheduling.
 - a. In the event an item is brought to the attention of the City Manager that requires immediate City Council attention after the agenda setting meeting and before the agenda is distributed, the City Manager will determine the need for the item to be added to the agenda.
 - b. With regard to items directed by the City Council made during the regular City Council meeting, such items will be scheduled for the next Council meeting whenever possible. If an item requires additional staff work that cannot be completed in that time frame, the City Manager will advise the Council when staff anticipates the item will be scheduled for Council action.
2. Agenda Review Meeting: Prior to release and posting of a final City Council agenda, an agenda review meeting shall be held by the City Manager with the City Attorney and the Mayor, or another member of the City Council designated by the Mayor, to serve in his/her absence. The proposed agenda shall be reviewed at this meeting.
3. Agenda Preparation: Not later than the Thursday prior to the City Council meeting, the City Manager is responsible for preparing the agenda packet, which shall include the agenda plus all its corresponding duplicated agenda items. No item shall be considered if not included in the packet, except that a correction or supplement to an item already included in the packet may be considered in accordance with the Brown Act.
4. Agenda Distribution and Posting: Not later than the Thursday prior to the City Council meeting, the City Manager is responsible for distributing the agenda packet to each member of the City Council. Staff shall post each agenda at least 72-hours in advance of the meeting and shall post each agenda of a special meeting at least 24-

hours in advance of the meeting on the official bulletin boards at City Hall, Police Department, Library and on the City's website.

5. **Non-Agenda Items Requiring Immediate Action:** Matters requiring City Council action must be placed onto a Council Agenda in a timely manner in order for Council to consider the matter. In accordance with the Brown Act, off-agenda items requiring Council approval will not be considered by the City Council except under the following two circumstances:

- a. An emergency situation exists, as defined in the Government Code; or,
- b. The City Council determines by a two-thirds (2/3's) vote, or by a unanimous vote if less than two-thirds of the Council is present, that:
 - There is a need for immediate action, and
 - The need to take action on the item arose after the posting of the agenda.

If the Council finds that the need to take action arose subsequent to the agenda posting, pursuant to the criteria above, it shall make those findings by separate motion, including the factual reasons supporting the findings. The findings shall be reflected in the Council minutes.

- B. **City Council Requests to Place Items on Future Agenda:** A Councilmember seeking to place an item on a future agenda shall make such request under the "Mayor and City Council Comment" portion of the agenda; such request requires a majority vote of the Council.

IX. VOTING

- A. **Obtaining the Floor:** Any Councilmember wishing to speak must first obtain the floor by being recognized by the Presiding Officer. The Presiding Officer must recognize any Councilmember who seeks the floor when appropriately entitled to do so.
- B. **Voting Procedure:** Any vote of the City Council, including a roll call vote, may be registered by the members by answering "Yes" for an affirmative vote, "Abstain" for an abstention, or "No" for a negative vote upon the member's name being called by the City Clerk; or an electronic vote may be registered by pressing the Councilmember button for an affirmative vote, an abstention, or a negative vote, upon a vote being called for by the Presiding Officer.

Following the vote, the City Clerk shall audibly announce the results of the vote by name indicating whether the question carried or was defeated. The same shall be recorded in the minutes as the vote. The Presiding Officer in his or her discretion may publicly explain the effect of a vote for the audience, or may direct a member of the staff to do

so before proceeding to the next item of business.

- C. Disqualification for Conflict of Interest: Any Councilmember who is disqualified from voting on a particular matter by reason of a conflict of interest shall publicly state or have the Presiding Officer state, the nature of such disqualification in open meeting. Where no clearly disqualifying conflict of interest appears, the matter of disqualification may, at the request of the Councilmember affected, be decided by the other Councilmembers. A Councilmember who is disqualified by reason of a conflict of interest in any matter shall not remain in his or her seat during the debate and vote on such matter, but shall request and be given the permission by the Presiding Officer to step down from the Council dais. A Councilmember stating such disqualification shall not be counted as a part of a quorum and shall be considered absent for the purpose of determining the outcome of any vote on such matter.
- D. Failure to Vote: Every Councilmember should vote unless disqualified by reason of a conflict. The vote of a Councilmember who abstains absent a disqualifying conflict of interest shall be counted with the majority vote of the quorum on the question voted upon.
- E. Tie Vote: Tie votes shall be lost motions and may be reconsidered.
- F. Changing Vote: A Councilmember may change his or her vote only if he or she makes a timely request to do so immediately following the announcement of the vote by the City Clerk and prior to the time that the next item in the order of business is taken up.
- G. Reconsideration: A motion to reconsider the vote on any action taken by the City Council at either this meeting or a previous meeting may be made only by one of the Councilmembers who voted with the prevailing side.
- H. Point of Order: An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration.
- I. Continuance of Discussion or Hearings: Any item being discussed or any public hearing at a City Council meeting may, by order, notice, or motion, be continued or tabled to any subsequent meeting.
- J. Rosenberg's Rules of Order: Rosenberg's Rules of Order have been adopted by the City Council and shall apply in all cases.
- K. Disclosure of Ex Parte Contacts: An "ex parte" contact or communication occurs when, prior to considering a matter on a public meeting agenda, a member or members of the City Council receives information, oral, written, or otherwise, pertaining to that matter outside the public meeting. (Reference City Council Policy No. 116 – Procedure for

X. MOTIONS

Motions are the vehicles for decision making by a body. It is normally best to have a motion before the body prior to commencing discussion of an agenda item. There are three motions that are the most common and recur often at meetings:

1. The basic motion. The basic motion is the one that puts forward a decision for the body's consideration.
2. The motion to amend. If a member wants to change a basic motion that is before the body, they would move to amend it.
3. The substitute motion. If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion.

Motions may be made by any member of the Council including the Chair. Any member of the City Council may second a motion. (Reference Rosenberg's Rules of Order for a more detailed discussion on motions in general and sample motions)

- A. Procedure for Motions: The following is the general procedure for making motions:
1. The item is presented by staff or others followed by questions and discussion by Councilmembers.
 2. A Councilmember who wishes to make a motion shall first obtain the floor.
 3. A Councilmember who wishes to second a motion shall do so through a request to the Chair.
 4. Before a motion can be discussed, it shall be seconded.
 5. Once a motion has been properly made and seconded, the Chair shall open the matter for further discussion offering the first opportunity to the moving party and, thereafter, to any Councilmember properly recognized by the Presiding Officer.
 6. Once the matter has been fully debated and the Presiding Officer calls for a vote, no further debate will be allowed, provided however, any Councilmember may be allowed to explain his or her vote prior to the vote being cast.
- B. Amendments to Motions: As previously discussed, ~~w~~hen a motion is on the floor and an amendment is offered, the amendment shall be acted upon prior to acting on the main motion. No motion of a subject other than the agenda item under consideration

shall be admitted as an amendment. A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be in order. Action shall be taken on the amended amendment prior to any other action to further amend the original motion.

XI. PUBLIC HEARINGS/ORDINANCES & RESOLUTIONS

- A. Except as provided otherwise by law, public hearings shall generally be conducted as follows:
1. Scheduled public hearings shall commence at 6:00 p.m. or as soon thereafter as possible.
 2. Speakers are encouraged to complete a speaker request slip; however a speaker slip is not required in order to speak.
 3. At the beginning of each public hearing item, the Presiding Officer shall announce the item for the public hearing, request that staff present the staff report and any other relevant evidence, and open the public hearing. The presentation of the staff report prior to the formal opening of the public hearing shall not prevent its consideration as evidence. Any such evidence shall be made a part of the record of the public hearing.
 4. Following the staff report and opening of the public hearing, the Presiding Officer shall thereupon call upon the proponent (if other than staff) to present his or her presentation. Thereafter, the Presiding Officer shall inquire as to whether there are any persons present who desire to address the City Council on the matter. Any person desiring to speak or present evidence shall then make their presence known to the Presiding Officer and, upon being recognized by the Presiding Officer, may speak or present evidence relevant to the subject matter being heard.
 5. The applicant/appellant, and/or their representative shall speak first and shall have a sufficient amount of time to do so, any portion of which may be reserved and used for rebuttal.
 6. Each member of the public wishing to address the Council, other than the applicant/appellant, shall then be allowed to address the Council and shall have three (3) minutes to speak. Prior to declaring the public hearing open, however, when necessary because of the number of possible speakers, the Presiding Officer may establish a time limit for the entire public hearing, or establish time limits for the presentation of each individual speaker. All persons interested in the matter being heard by the Council shall be entitled to submit written evidence or remarks, as well as other graphic evidence. All such evidence presented shall be retained by

the City Clerk as part of the record.

7. Councilmembers who wish to ask questions of the speakers, staff or each other, during the public hearing portion, may do so only after being recognized by the Presiding Officer in the manner set out in this policy.
8. Councilmembers should be mindful that the purpose of the public hearing is to obtain testimony, and not to debate the merits of the item under consideration. Councilmembers should avoid debate and expressions of personal opinion until after the close of the public hearing.
9. Following the conclusion of such questions, the Presiding Officer shall allow the applicant/appellant the opportunity for rebuttal.
10. Following the rebuttal, the Presiding Officer shall close the public hearing and then allow each Councilmember to state his or her opinion on the item before asking for a motion to decide the matter.
11. Upon closing the public hearing by the Presiding Officer, no additional public testimony shall be solicited or received by the Council without reopening the public hearing through the Presiding Officer with consensus of the Council.
12. The Presiding Officer at all times shall conduct the public hearing in such a manner as to afford due process to all affected persons.

XII. MEETING DECORUM & CONDUCT

Meetings of the City Council shall be conducted in an open and orderly manner and in an environment safe for all persons in attendance to ensure that the public has a full opportunity to be heard and that the deliberative process of the Council is retained at all times. The Presiding Officer shall be responsible for maintaining the order and decorum of meetings. This policy is not intended to deprive any person of his or her right to freedom of expression, but only to maintain, to the extent possible and reasonable, a safe and conducive place to conduct public business.

A. Conduct:

1. Members of the audience shall not engage in disorderly or boisterous conduct, including the utterance of obscene, lewd, loud, threatening, repeatedly irrelevant or repetitious, or abusive language; including clapping, whistling, yelling, stamping of the feet, or other acts which disturb, disrupt, impede or otherwise render the orderly conduct of the City Council meeting infeasible. A member of the audience engaging in any such conduct may, after warning by the Presiding Officer, at the discretion of the Presiding Officer or a majority of the City Council, be subject to

removal from the meeting.

2. Persons in the audience will refrain from creating, provoking or participating in any type of disturbance involving unwelcome physical contact.
3. Noise emanating from the lobby outside the Council Chambers which is audible within the Chambers shall not be permitted. The Sergeant-at-Arms is authorized to enforce this rule by requesting those in the lobby to remain silent or to leave the area.

B. Authorized & Designated Areas:

1. No person shall stand or sit in the aisles. No person shall block any doorways or exits.
2. No person except City officials shall be permitted within the platform area in front of the Council dais without the prior consent of the Presiding Officer or City Manager.

C. Signs, Objects or Symbolic Material:

1. Placards, signs, and posters may be brought into the Council Chambers unless such objects disturb, disrupt, impede or otherwise render the orderly conduct of the Council meeting infeasible, or block the view of any other person in attendance, in which case such placard, sign, or poster shall, at the discretion of the Presiding Officer or a majority of the Council, be moved to a different location or removed from the Chambers.
2. Packages, bundles, suitcases or other large or potentially dangerous objects shall not, without the prior authorization of the Presiding Officer or City Manager, be brought into the City Council Chambers and are subject to search to determine that they do not pose a threat or as otherwise requested by the Sergeant-at-Arms.

D. Service Animals: Except as otherwise allowed by the City Council, no animals except for service animals shall be brought into the Council Chambers.

E. Photography/Videography: Photographs, audiotapes and videotapes may be taken from the rear of the Council Chambers or from any seat within the Chambers, as long as such activity does not disrupt or disturb the audience, public speakers, Councilmembers or others on the dais, and interfere with the orderly conduct of the meeting. When a filming area has been designated by the Fire Marshal or Sergeant-at-Arms, filming shall occur in that area only. The Fire Marshal or Sergeant-at-Arms may designate an area for credentialed media only.

- F. Cellular & Electronic Devices: Persons in the audience will refrain from using cellular phones and/or pagers while the City Council meeting is in session.

XIII. ENFORCEMENT

- A. Sergeant-at-Arms: The Chief of Police or his or her designee shall be the ex-officio Sergeant-at-Arms of the City Council. The Sergeant-of-Arms shall carry out all orders and instructions given by the Presiding Officer for the purpose of maintaining order and decorum in the Council Chambers. Any Councilmember may move to require the Presiding Officer to enforce the rules upon affirmative vote of a majority of the Council.
- B. Violations: Upon a violation of the Rules of Procedure and Order established herein, the procedure to enforce the rules are as follows:
1. **Warning**: The Presiding Officer shall first request that a person who is violating the rules cease such conduct. If, after receiving a request from the Presiding Officer, the person persists in violating the rules, the Presiding Officer shall order a recess. The Sergeant-at-Arms is authorized to warn the person that their conduct is violating the rules and that they are requested to cease such conduct. If upon resumption of the meeting the violation persists, the Presiding Officer may order another recess whereupon the Sergeant-at-Arms shall have the authority to order the person removed from the meeting and/or cited in violation of Penal Code Section 403.
 2. **Motion to Enforce**: Any Councilmember may call a Point of Order should the City Council fail to abide by the provisions of this policy, whereupon the Council shall immediately act upon the Point of Order by roll call vote. If the Presiding Officer fails to enforce the Rules of Procedure and Order set forth herein, any member of the Council may move to require the Presiding Officer to do so, and an affirmative vote of a majority of the Council shall require the Presiding Officer to do so. If the Presiding Officer fails to carry out the will of the majority of the Council, the majority may designate another member of the Council to act as Presiding Officer for the remainder of the meeting, for the limited purpose of enforcing the rules established herein.
 3. **Clearing the Room**: Pursuant to Government Code Section 54957.9, in the event that any meeting is willfully interrupted by a group of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of the individuals who are willfully interrupting the meeting, the Presiding Officer may order the room cleared and the meeting shall continue in session. Only matters appearing on the agenda may be considered in such a session. Credentialed representatives of the press or other credentialed news media, except those

participating in the disturbance, shall be allowed to attend any session held pursuant to Section 54957.9.

4. **Violation of California State Law:** A person or persons who willfully and intentionally impair or impede the conduct of a Council meeting by violating these Rules of Procedure and Order may be prosecuted under California Penal Code §403, California Elections Code Section 18340, or any other applicable State law for disturbing a public meeting.

XIV. PROCEDURAL MATTERS

- A. City Council Seating Arrangement: ~~The seating arrangement of Councilmembers on the dais is at the prerogative of the Mayor. Following each General Election in which new a Councilmember(s) is elected, members of the City Council shall be seated at the Council dais with senior Councilmembers having first choice of seats. The Mayor, however, shall be seated in the center of the Council dais and the Vice Mayor shall be seated immediately next to and to the left of the Mayor. In the event of equal seniority among members of the Council, selection of Council seats shall be made alphabetically.~~
- B. Signing of Meeting Documents: The Presiding Officer shall sign all ordinances, resolutions, contracts and other documents necessitating his or her signature which were adopted in his or her presence, unless he or she is unavailable, in which case the signature of the Vice Mayor may be used.
- C. Copy of Recordings: The public may obtain from the City Clerk a copy, at cost, of an existing recording made by the legislative body of its public sessions.
- D. Ceremonial Matters: There are several different types of action the City Council may take to provide recognition or express appreciation:
 1. Certifications of Appreciation or Recognition: Commendations are typically issued to acknowledge the activities of a person or organization.
 2. Proclamations: Public announcements directing attention to a person, organization, event or cause. Proclamations will be issued subject to the policy described below.
- E. Proclamations: It is the policy of the City Council to issue proclamations for certain individuals, organizations, events or causes, when such a proclamation positively impacts the community and conveys an affirmative message to residents.
 1. Discretion should be used in determining whether or not to issue a proclamation. Proclamations that are political in nature, are controversial, or

that likely would not enjoy a high level of community interest and support, are discouraged.

2. It is the policy of the City Council to process requests for proclamations in the following manner:
 - a. Requests for proclamations will be made through the Mayor's Office;
 - b. If the Mayor determines that the proclamation request is consistent with the policy stated above, the Mayor will direct his or her staff member to prepare the proclamation and the proclamation will be issued.
 - c. Upon receipt of the draft proclamation language, the Mayor will direct the City Manager to place the item on a meeting agenda depending on the nature and time-sensitivity of the request.

XV. SOCIAL MEDIA

With the ever-growing use of social media, the Council and City staff should be aware that comments, statements, opinions, etc. are still subject to the same restrictions identified in the California Government Code (commonly referred to as the Brown Act and the Public Records Act). While the City of National City strives to maintain community involvement and transparency in its government functions, certain State and local laws must be considered and kept in mind while using social media mediums. Social mediums such as Facebook, Twitter, and others can be viewed by other people including other Councilmembers. Councilmembers are encouraged to check the information they provide for accuracy.

Multiple Councilmembers cannot comment on the same conversation, as that can create a "serial meeting" of the Council and is a direct violation of the Brown Act. If Councilmembers communicate on social media about "city business", as defined in City Administrative Policy No. 02.06, any such communication may be released to the public upon request.

Councilmembers should refrain from stating personal opinions on matters being brought before the Council including, but not limited to: personal opinions on topics, declarations on how an official intends to vote for an item, debating with citizens on items, or presentation of the Councilmember's argument before or against an item, as those could be considered violations of the Brown Act, which can result in criminal and civil liabilities for the official.

Councilmembers should always maintain professionalism and common courtesy in posts and comments when commenting in their official capacity and should remain neutral in postings to prevent the interpretation that a decision has already been made outside of an open meeting, in violation of the Brown Act. Councilmembers should also be aware that there is inherent personal civil liability risk on all comments they make outside of official meetings. For example,

if a Councilmember “blocks” a social media user, or deletes a comment from a social media user, the Councilmember risks violating the social media user’s First Amendment rights.

Councilmembers should not use their official positions to make negative posts, voice personal opinions, etc. against any individual, business, entity, etc. as that could create negative feedback for the official and City and could potentially subject the official to personal civil liability for slander, defamation of character, or other civil remedies that could be determined by a court.

City Councilmembers and staff shall not use any official City media site, including but not limited to the City’s Facebook page, the City’s Twitter accounts, or to any other City media outlet for personal reasons or personal gain.

XVI. POLICY INTERPRETATION & APPLICABILITY

The Policy and Rules of Procedure and Order set forth herein shall be liberally construed to effectuate their purpose and no ordinance, resolution, proceeding or other action of the City Council shall be invalidated, nor the legality thereof otherwise affected, by the failure or omission of the Council to technically comply with, observe, or otherwise follow such rules. Any provision of these rules not already governed by City ordinance or State law may be suspended by a majority vote of the Council.

The rules set forth herein shall apply to all meetings of the City Council subject to the Brown Act and shall apply to the Council Chambers or any other location where a meeting subject to these rules takes place. In the event of any inconsistency between these rules and State law or regulation, State law or regulation shall apply.

XVII. DEFINITIONS

Abstain	To publicly refrain from voting usually because of a conflict of interest.
Adjourn	A privileged motion to officially close a meeting. A second is required and a majority vote is required to adopt it.
Call to Order	An announcement by the Presiding Officer to convene a meeting.
Consent Calendar	The routine parts of the agenda which are approved without discussion or dissent.
Decorum	To conduct oneself in a proper manner.
Dire Emergency	When a majority of the legislative body determines that a dire emergency exists, it may call an emergency meeting (§ 54956.5).

A dire emergency is defined as a crippling disaster, mass distribution, terrorist act, or threatened terrorist activity that poses peril so immediate and significant that requiring a legislative body to provide one-hour notice before holding an emergency meeting may endanger the public health, safety, or both.

Emergency Meeting

When a majority of the legislative body determines that an emergency situation exists, it may call an emergency meeting (§ 54956.5). An emergency is defined as a crippling activity, work stoppage or other activity which severely impairs public health, safety or both.

Legislative Body

City Councilmembers are legislators. Together they constitute a legislative body that is given authority by the State constitution and State law to make local law.

Meeting

Includes any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate upon any matter which is under the subject matter jurisdiction of the agency. (Government Code § 54952.2(a))

Minutes

The official record of what is done at a meeting.

Motion

The vehicles for decision making by a body used with a vote to indicate approval or denial, adoption or direction.

Ordinance

A city law that generally requires two separate meetings and typically becomes effective thirty days after adoption.

Parliamentarian

One who advises the officers, committees, and members on matters regarding parliamentary procedure.

Policy

The opinions, philosophy, or practices that are adopted by an organization.

Public Hearing

Items that are publicly noticed for a specific Council meeting date, as generally required by law, and are designed to receive separate public input on a specific matter.

Point of Order

An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration.

Presiding Officer	The officer conducting the meeting; Chair or Chairman
Public Hearing	A noticed public session to receive original evidence or testimony on applications regulated by this title. Scheduled public hearings shall be commenced at 6:00 p.m. or as soon thereafter as possible.
Quorum	The minimum number of members who must be present at a meeting to transact business legally.
Ralph M. Brown Act	The Ralph M. Brown Act, commonly known as the “Brown Act”, governs meetings conducted by local legislative bodies, such as boards of supervisors, city councils and school boards. The Act represents the Legislature’s determination of how the balance should be struck between public access to meetings of multi-member public bodies on the one hand and the need for confidential candor, debate, and information gathering on the other. The purpose of the Brown Act is to facilitate public participation in local government decisions and to curb misuse of the democratic process by secret legislation by public bodies.
Recess	A period of time longer than thirteen (13) days without a regular or special meeting of the Council.
Resolution	Represents a legislative or other type of action providing for the disposition of a particular item of business. Resolutions take effect upon passage by a majority vote of the Council unless other law imposes a later effective date.
Rosenberg’s Rules of Order	Written rules of parliamentary procedure which govern a meeting.
Sergeant-at-Arms	The Chief of Police or his or her designee shall be the ex-officio Sergeant-at-Arms of the City Council.
Special Meeting	In contrast with a regular meeting, a meeting called for a particular purpose that is stated when the meeting is called.

SECTION XVIII. RELATED POLICY REFERENCES

- National City Municipal Code, Chapter 2.04
- National City Municipal Code, Title 16

- Ralph M. Brown Act
- Rosenberg's Rules of Order
- City Council Policy No. 102 – City Council Meeting Times
- City Council Policy No. 103 – Special Council Meetings
- City Council Policy No. 105 – Off Agenda Items and Placing Non-Agenda Items on the Agenda
- City Council Policy No. 106 – Preparation of City Council Meeting Minutes
- City Council Policy No. 113 – Unauthorized Disclosure of Information Revealed in Closed Sessions
- City Council Policy No. 116 – Procedure for Disclosure of Ex Parte Contacts
- Administrative Policy No. 02.06 – Public Records Act Affecting Personal Electronic Devices & Accounts of City Users